

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2604 of 2018

- Moolchand S/o Ghasiram Aged About 47 Years Caste Korva
Residence- Village Bagicha, Tahsil Bagicha District Jashpur,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, District Jashpur,
Chhattisgarh
2. Anuvibhagiya Adhakari Rajasva Bagicha Bagicha, District
Jashpur Chhattisgarh
3. Additional Tahsildar Bagicha Tahsil Office Bagicha District
Jashpur, Chhattisgarh
4. Lochanram S/o Duryodhan Aged About 68 Years Caste- Mahkul/
Gair Aadivasi Residence- Village Jhagarpur, Tahsil Bagicha,
District Jashpur, Chhattisgarh

---- Respondents

For Petitioner	Shri A. W. Khan, Advocate
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For Respondent-State	Shri Rajendra Tripathi, PL
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Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

24/09/2018

1. Petitioner claims to be a tribal whose land has been illegally
possessed by non tribals. On his behalf, the Chhattisgarh
Anusuchit Jati, Anusuchit Janjati Adhikari Karmachari Sangh has
moved an application before the Hon'ble Governor of
Chhattisgarh, however, no action has been taken on the
representation.

2. It appears, the petitioner has the remedy of moving an application before the jurisdictional SDO (Revenue) under Section 170-B of the Chhattisgarh Land Revenue Code, 1959 (for short the Code, 1959). A representation before the Hon'ble Governor may not be the appropriate step taken by the association, therefore, if the petitioner is so advised, he may move before the jurisdictional SDO (Revenue) under Section 170-B of the Code, 1959 for return of the land and on such application being filed, the concerned SDO (Revenue) shall consider and decide the same expeditiously, preferably within a period of 6 months from the date of submission of application.
3. At this stage, learned counsel for the petitioner would submit that the petitioner is a very poor and illiterate tribal, therefore, he may be provided legal assistance.
4. For seeking legal assistance, the petitioner may approach the District Legal Services Authority of the District of his residence.
5. The writ petition stands disposed of.

Sd/-
Prashant Kumar Mishra
Judge