

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 31 of 2015**

Kailash Agrawal, S/o. Late Ramniwash Agrawal, Aged About 45 Years, R/o. Modi Plaza, Flat No. 405, Jagatpur, P.S. Kotra Road, Raigarh, District Raigarh, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Home Affairs, Naya Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. The Director General Of Police Raipur, District Raipur, Chhattisgarh
3. The Superintendent Of Police, S.P. Office Raigarh, District Raigarh, Chhattisgarh
4. The Station House Officer, Police Station- City Kotwali, Raigarh, District Raigarh, Chhattisgarh
5. Shyam Sunder Agrawal, S/o. Late Harishchandmal, Aged About 62 Years, R/o. Old Sadar Bazar, Raigarh, District Raigarh, Chhattisgarh
6. Arvind Garg, S/o. Shyam Sunder Agrawal, Occupation- Bussiness, R/o. Old Sadar Bazar, Raigarh, District : Raigarh, Chhattisgarh

---- **Respondents**

For Petitioner	:	Shri Amit Sharma, Advocate
For State/Respondents No.1 to 4.	:	Shri Akash Pandey, Panel Lawyer
For Respondent No.5 & 6	:	Shri Ashish Gupta, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

18.03.2019

Heard.

1. The present petition is for registering the FIR. It is contended that the property was initially belonged to one Jagannat Agrawal, he has three sons Chandrabhan, Harishchand & Kesrimal. The present petitioner is claiming through Ramniwas, who is son of Chadrabhan whereas Shyamsundar is son of Harischchand and Arvind Garg is son of Shyamsundar.
2. It is contended by the petitioner that Kesrimal and other brothers died in the year 1963, thereafter, son of Harishchand, Shyamsundar and his son Arvind got their name mutated in the revenue record by suppressing the fact in order to usurp the property. Learned counsel referred to the order of the

Deputy Collector and submits that on an enquiry, it was found that the Deputy Collector has come to a conclusion that in order to usurp the property of other brothers, mutation was wrongly made.

3. Perused the documents filed alongwith the petition. It appears that it is out and out dispute interse between the family member. The tenure of the order of the Deputy Collector would show that as if he was holding the brief on behalf of one of the parties. Even if the mutation has been made it will not confer any title and it is only for the fiscal purpose. It is also settled in case of ***Municipal Corporation, Gwalior v. Puran Singh alias Puran Chand & Others*** reported in ***AIR 2014 SC 2665***. The khasra entry and revenue records do not decide the title. Under the facts & circumstances of the case, it is out & out property dispute *inter se* in between the parties.
4. In view of the above, the petition has no merit and accordingly is dismissed.

Sd/-
Goutam Bhaduri
Judge