

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 654 of 2019**

- Kriparam Dewangan S/o Late Shri Ramkishun Dewangan Aged About 47 Years R/o Ward No.5, Near Sheetala Temple, Kharora, Police Station- Kharora, District- Raipur, Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through Revenue Secretary, Revenue Department, Mahanadi Bhawan, New Mantralaya, District- Raipur, Chhattisgarh
2. The Commissioner Raipur, District- Raipur, Chhattisgarh
3. The Collector District- Raipur, Chhattisgarh
4. The Sub Divisional Officer Revenue Tehsil-Tilda, District- Raipur, Chhattisgarh.
5. Nayab Tehsildar Kharora Up-Tehsil-Kharora, District- Raipur, Chhattisgarh.
6. Santram Navrange S/o Sadhram Navrange Aged About 40 Years R/o Ward No. 2, Kharora, Police Station- Kharora, District- Raipur, Chhattisgarh

**---- Respondent**


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| For Petitioner        | Mr. Sushil Dubey, Advocate      |
| For Respondent /State | Mr. Avinash Singh, Panel Lawyer |

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**Order On Board By****Hon"ble Mr. Justice Prashant Kumar Mishra****25/2/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that inspite of an order of removal of encroachment and stoppage of

construction passed against respondent No.6 by the Naib Tehsildar, Kharora, Up-Tehsil, Kharora, District Raipur, the said respondent is continuing to raise construction.

3. Considering the observations made by the Division Bench of this Court in WA No.389 of 2016 (Vinod Soni and others Vs. Rajesh Kumar Sahu and others), decided on 22.9.2016, holding that Writ Petitions (C), by private persons against encroachment of Government land, by an individual, is maintainable, I deem it appropriate to dispose of the writ petition with observation that the concerned Naib Tehsildar shall take coercive steps to remove the encroachment made by respondent No.6 on Government land. However, while proceeding to take such coercive steps, the concerned Naib Tehsildar shall provide opportunity of hearing to respondent No.6.
4. It is ordered accordingly.

Sd/-

**(Prashant Kumar Mishra)**

Judge

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