

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 267 of 2018

Prakash Debnath S/o Shri Akhil Chandra Debnath Aged About 39 Years R/o Village East Boregaon, Tahsil Farasgaon, District Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. Shri Neelkanth Tekam Collector, District Kondagaon, Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh
2. Shri Khemlal Verma Sdm Kondagaon, District Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh
3. Shri Dhananjay Kumar Netam Tahsildar Farasgaon, District Kondagaon, Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondents

For Petitioner : Shri Alok Kumar Dewangan, Advocate

For Respondents : Shri Praveen Das, Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

15/05/2019

1. This contempt petition has been filed by the petitioner alleging willful disobedience of direction issued by this Court on 23.3.2017.
2. While learned counsel for the petitioner insists that complete encroachment has not been removed, I find that in view of direction issued by this Court, the officer concerned had obtained report in which it has been stated that encroachment has been removed.
3. The matter pertains to factual dispute and this Court would not go into this issue any further.

4. If, according to the petitioner, complete encroachment has not been removed, it would be open for him to submit appropriate representation before the concerned Revenue Authority and, thereafter, proceedings may be drawn to make factual enquiry on the allegation that though encroachment has been removed still on certain parts of the Govt. land, encroachment continues and subsists.
5. The exercise should be completed by the concerned authority within three months from the date of submission of representation by the petitioner.
6. The petition is accordingly disposed off. Rule is discharged.

Sd/-
(Manindra Mohan Shrivastava)
Judge