

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 245 of 2019

Santram Navrange, S/o Sadhram Navrange, Aged About 40 Years, R/o Ward No. 2, Kharora, Police Station- Kharora, District- Raipur, Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhavan, New Mantralaya, District- Raipur, Chhattisgarh
2. The Commissioner Raipur, District- Raipur, Chhattisgarh
3. The Collector Raipur, District- Raipur, Chhattisgarh
4. The Sub Divisional Officer Revenue, Tahsil Tilda, District- Raipur, Chhattisgarh.,
5. Nayab Tahsildar Kharora, Up Tahsil Kharora, District- Raipur, Chhattisgarh
6. 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

---- Respondents

For Appellant	:	Mr. B.L. Sahu, Advocate
For State	:	Mr. K.K. Singh, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

08/05/2019

1. This writ appeal is preferred challenging order dated 25.02.2019 passed by learned Single Judge whereby a direction has been issued to initiate appropriate proceeding with a caveat that the present writ appellant would also be afforded an opportunity of hearing.
2. Learned counsel for the appellant would argue that respondent No.6 filed petition making incorrect statement that the writ appellant was an encroacher whereas he is not encroacher but a proposal for allotment was passed in his favour by the local body.
3. The order passed by learned Single Judge has not decided the issue as to whether the petitioner has encroached upon any public land. A direction has been

issued for holding an enquiry. Not only this, it has also been categorically ordered that the writ appellant has also been afforded an opportunity of hearing.

4. We fail to understand as to how the order adversely affect interest, if any, writ appellant may have in respect of subject land.

5. As the writ appellant would be having all the opportunity to satisfy the authority with regard to his occupation over the subject land, we do not find any ground to interfere with the order. The appeal is sans merit and is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge