

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 1643 of 2019

Smt. Rukmani Sahu, W/o. Banvali Sahu, Aged About 52 Years, Sarpanch,
Gram Panchayat, Korra, Block Kurud, District Dhamtari, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Collector, Dhamtari, District Dhamtari Chhattisgarh.
2. Sub Divisional Officer Kurud, District Dhamtari Chhattisgarh.
3. Commissioner Raipur, Division Raipur Chhattisgarh.
4. Board Of Revenue Bilaspur, Circuit Court Raipur, District Raipur Chhattisgarh.
5. Chandrahas Kamde, S/o. Jhaduram Kamde, Aged About 47 Years, R/o. Village Korra, Tahsil Kurud, District Dhamtari, Chhattisgarh.
6. Balajee Mandir, Through Sarwakar Shiv Charan Das Mahant, Prabandhak Collector, Dhamtari, District Dhamtari Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. A.D.Kuldeep, Advocate
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For State	:	Mr. Sudeep Verma, Dy. Govt. Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.05.2019

1. The present petition is against the order dated 12.03.2019 whereby the Board of Revenue while admitting the revision has granted exparte stay in favour of the respondents No.5 & 6.
2. Perusal of the order shows that after admission of the revision, further date has been given on 20.05.2019. In such eventuality, the petitioner can very well go and agitate his grievance before the Board of Revenue on the date fixed and if so advised may file an application for vacating stay. Prima facie from perusal of the order, it shows that during the course of hearing before grant of stay, the contention of the petitioner was not heard and neither the submission of petitioner nor presence has been recorded in the order sheet.

It is only after stay order was granted, the remark has been made. Therefore, in such case, the petitioner shall have all the right of hearing for vacating the stay. If the application for vacating the stay is filed, the Board of Revenue shall decide the same on its own merit within a reasonable time.

3. With such observation, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge

Ashok