

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2047 of 2019

Manharan S/o Shri Shiv Prasad Kaushik Aged About 53 Years R/o
Village Sipat, Tahsil Masturi, District Bilaspur Chhattigarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue Department,
Mahanadi Bhavan, Mantralay, Naya Raipur, District Raipur
Chhattisgarh.
2. Additional Tahsildar Sipat, Tahsil Masturi District Bilaspur Chhattisgarh.
3. Manju Mishra W/o Suprya Prakash Mishra Aged About 40 Years R/o
Village Sipat, Tahsil Masturi, District Bilaspur Chhattisgarh.

---- Respondents

For Petitioner : Shri S.K. Guha, Advocate
For Respondent/State : Shri Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/06/2019

1. The grievance of the petitioner is that the father of the
petitioner has purchased the abadi land in the year 1957 at
village Seepat. The land was bearing Khasra No. 282,
admeasuring 858 sq. ft. Subsequently, the respondent No. 3
has encroached upon the said land. However, the application
was filed by the respondent No.3 before the Tahsildar,
adversely claiming that the petitioner has encroached upon
land of the respondent No.3 and is raising construction.

Thereafter the Tahsildar has stayed the construction which was carried out by the petitioner.

2. Learned counsel for the petitioner prays that the Tahsildar shall be directed to decide the same wherein the stay has been granted within a stipulated time as necessarily it was within the right of the petitioner.
3. Taking into the limited prayer made by the petitioner no prejudice is caused to either of the parties if the Tahsildar is directed to decide the case wherein the petitioner and the respondent are litigating within a stipulated time. Therefore, it is directed that the Tahsildar shall decide the case which is pending before him in between the parties herein within a further period of 6 months from the date of receipt of this order.
4. With such observation, the petition is disposed of.

Sd/-

(Goutam Bhaduri)
Judge

Jyoti