

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2348 of 2019

Girishchandra Gayakwad S/o Shri Kuleshwar Gayakwad Aged
About 27 Years R/o Village Sonpairi, P.S. Mandir Hasaud Up Tahsil
Mandir Hasaud, Tahsil Aarang, District- Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of
Revenue, Mantralaya Mahanadi Bhawan, Atal Nagar, New Raipur,
District- Raipur, Chhattisgarh.
2. Collector, Raipur, District- Raipur, Chhattisgarh.
3. Tahsildar, Mandir Hasaud, Raipur, District- Raipur, Chhattisgarh.
4. Station House Officer Through Police Station Mandir Hasaud,
District- Raipur, Chhattisgarh.
5. Gulab Jangde, aged about 38 years, S/o Late Manrakhn
Jangde R/o Village Sonpairi, P.S. Mandir Hasaud, Up Tahsil- Mandir
Hasaud, Tahsil Aarang, District- Raipur, Chhattisgarh.

--- Respondents

For petitioner- Shri C.R. Sahu, Advocate.
For State-Shri Rahul Jha, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/07/2019

Heard.

1. Grievance of the petitioner is that he is resident of village Sonpairi and respondent No.5 Gulab Jangde has encroached upon land bearing khasra No. 459 wherein weekly market of Sonpairi is carried out and by force he is constructing the shop.
2. It is stated that complaint was made to the Tahsildar by Annexure P-4 to remove the said construction which is over the government land but the same is not been stopped. Learned counsel also referred to panchnama wherein the respondent admits that construction are being done over the government land.

3. Perused the document Annexure P-4 which is an application made to the Tahsildar under section 248 read with section 131 of the Chhattisgarh Land Revenue Code which bears endorsement of the Tahsildar, Mandir Hasuad. The averment have been made that construction is being carried out by respondent No.5 over the government land bearing khasra No.459. Panchnama which is attached to the petition it bears the signature of Gulab Jangde wherein admission is made that construction are being made over the government land bearing khasra No.459. Since complaint is made that construction is being carried over the government land where weekly market is conducted, taking into fact that application have been made to the Additional Tahsildar, Mandir Hasaud by Annexure P-4, it is directed to enquire into the matter as to whether construction is carried out on the government land and if so, under what authority construction was carried out. Thereafter, shall proceed in accordance with the law. Demarcation shall be carried out within a period of 30 days from the date of receipt of this order.

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

Sd/-

(Goutam Bhaduri)

JUDGE