

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2777 of 2019**

Anadram, S/o. Shri Mayaram, Aged About 58 Years, Cast Gord, Occupation Agriculturist, R/o. Gram Sureshpur, Tehsil Patthalgav, District Jashpur, Chhattisgarh.

---- **Petitioner**

Versus

Additional Commissioner Revenue, Division Sarguja, Ambikapur, Chhattisgarh.

---- **Respondent**

For Petitioner	:	Mr. Narottam Lal Vishwakarma, Advocate
For State/Respondent	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

13.08.2019

Heard

1. The instant petition has been filed on the ground that against the order which was passed in appeal by the S.D.O. under Section 44(1) of the Land Revenue Code, the petitioner has preferred an appeal under Section 44(2) of the Land Revenue Code before the Commissioner wherein despite stay order granted, the respondents have carried out construction, therefore, the prayer is made that the Commissioner may be directed to decide the case within a time frame.
2. Perusal of the order of the Commissioner would show that stay order was granted in favour of the petitioner, thereafter, the second appeal is pending for adjudication. If certain orders have been passed in favour of the petitioner which has not been followed by the respondents, the authority which has passed the order has to see the orders passed by it are complied. This Court in exercise of power under Article 226 of the Constitution cannot sit as a higher officer of the Commissioner to remind him of his power & duties. The petitioner may file suitable application before

the Commissioner making appraisal of fact and the entire issue. Under the facts, I am not inclined to issue a direction to the authorities concerned.

3. In view of the above, the petition is dismissed.

Sd/-
Goutam Bhaduri
Judge