

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2329 of 2015**

1. Smt. Bhothkin Wd/o Late Shri Lagan, Aged About 70 Years
2. Bhodyal, W/o Lagan, Aged About 50 Years
3. Santosh S/o Thuna, Aged About 50 Years

All are by Caste - Khairwar, R/o Village - Bataikela, Thana And
Tahsil - Seetapur, Civil And Revenue District - Surguja
(Ambikapur) Chhattisgarh.....Non Applicants

---- Petitioner

Versus

1. Smt. Sulochana W/o Kodiya, Aged About 65 Years
2. Chikan S/o Porpori, Aged About 75 Years
3. Krishna S/o Moti, Aged About 19 Years
4. Smt. Shyampati Wd/o Late Shri Moti, Aged About 68 Years

All are by Caste - Khairwar, R/o Village - Bataikela, Thana And
Tahsil - Seetapur, Civil And Revenue District - Surguja
(Ambikapur) Chhattisgarh.....Applicants

5. State Of Chhattisgarh Through The Secretary Revenue
Department, Mahanadi Bhawan Capital Complex New Raipur,
District Raipur ChhattisgarhApplicant

---- Respondent

For Petitioner
For Respective
Respondents

Mr. Sunil Sahu, Advocate

Mr. Rahul Jha, Government Advocate
and Mr. Manoj Paranjpe, Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****20/6/2019**

1. Heard.
2. The only ground on which the order passed by the Board of Revenue is assailed in this writ petition, is that the Board of Revenue has directly entertained a Revision Application against the order passed by the Tehsildar, Seetapur and moreover, the said Revision Application was itself filed after 2 ½ years.
3. The order passed by the Board of Revenue would clearly note the facts, which compelled him to entertain the petition for the reason that despite there being a decree passed by the Civil Court more than 30 years back, the concerned Tehsildar was not giving effect to the decree and passing necessary order for correction of the revenue record.
4. Even if the Revision Application was preferred after 2 ½ years of passing of the order passed by the Tehsildar, the same was rightly entertained by the Board of Revenue in view of finality of the proceedings in relation to the right and entitlement to the suit property by the Civil Court.
5. There is no substance in the petition, it fails and is hereby dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna