

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3064 of 2019**

Hemant Bothra, S/o. Late Dharmchand Jain, Aged About 52 Years, R/o. Priya Vastralaya, Railway Station Road Mahasamund, Post, Tahsil & Police Station Mahasamund, District Mahasamund, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Director / Secretary Revenue, Mahanadi Bhavan, Nawa Raipur, District Raipur, Chhattisgarh.
2. The Collector Mahasamund, District Mahasamund, Chhattisgarh.
3. The Tahsildar Mahasamund, District Mahasamund, Chhattisgarh.
4. The Nodal Officer, Zila Sahkari Kendriya Bank Mahasamund, District Mahasamund, Chhattisgarh.
5. Ashok Kumar, S/o. Rajmal, R/o. Khariyar Road, Nuwapada (Odisha)

---- Respondents

For Petitioner	:	Mr. Love Kumar Ramteke, Advocate
For State	:	Mr. Alok Bakshi, Addl. A.G.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04.09.2019**

Heard.

1. The present petition is against the order/memo dated 15.07.2019 (Annexure P-1) issued by the Tahsildar, Mahasamund.
2. It is contended on behalf of the petitioner that the petitioner has been dispossessed in respect of the land bearing Khasra No.1778/3, 1828/3 & 1834/3 by the order Annexure P-1; whereas Annexure P-2 would show that the petitioner was in possession.
3. Perusal of Annexure P-1 dated 15.07.2019 shows that the said order is only in execution or in compliance of certain orders, which were passed in Revenue Case No.02 A/70 of year 2018-19 wherein orders were passed on 26.03.2019. Therefore, when the dispossession has been made in compliance of the original order of 26.03.2019, which is not under challenge, this Court in exercise of power under Article 226 of the

Constitution cannot go into veracity and authenticity of the order passed when execution proceedings are put to challenge. It is for the petitioner to challenge the order passed in original case for compliance of which the petitioner has been dispossessed. At this stage, no relief can be granted to the petitioner.

4. In view of the above, the petition is dismissed being devoid of merit.

ashok

Sd/-
Goutam Bhaduri
Judge