

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 3728 of 2019

1. Mantram Bandhe S/o Late Samat Das Bandhe, Aged About 50 Years
 2. Narendra Kumar S/o Shri Premlal Aged About 30 Years
 3. Ishwar Prasad S/o Shri Sukhdas Aged About 32 Years
 4. Man Singh S/o Late Shri Thanwar Aged About 30 Years
 5. Bhagchand S/o Late Shri Samay Das Aged About 62 Years
- All the above are R/o Mohrenga, Police Station - Khanora, Tehsil - Tilda, District - Raipur Chhattisgarh.

--- Petitioner(s)

Versus

1. State of Chhattisgarh Through Chief Secretary, Mahanadi Mantralaya, Naya Raipur, Post Office and Police Station - Naya Raipur, District - Raipur Chhattisgarh.
2. The Collector, Collectorate Office Raipur Chhattisgarh.
3. The Sub Divisional Officer (Revenue) Tilda, District - Raipur Chhattisgarh.
4. The Tehsildar, Tehsil - Tilda, District - Raipur Chhattisgarh.
5. Gram Panchayat, Mahrenga, Janpad Panchayat - Tilda, District - Raipur Chhattisgarh.

---Respondents

For Petitioners	:	Shri Sushil Dubey and Shri Aman Upadhyay, Advocates.
For State	:	Shri Ayaz Naved, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.10.2019

1. Challenge in the present Writ Petition is to the eviction proceeding initiated by the respondent No.4 over the land over which the petitioners are residing since long.
2. Perusal of record would show that there is no document produced by the petitioners by which it can be established that the petitioners were having any bonafide right to stay on the said land.
3. In the absence of any cogent document in favour of the petitioners, it stands established that the petitioners have encroached upon the government land and have stayed unauthorizedly. Meanwhile, after the eviction proceedings being initiated, it has been informed by the petitioners that they have collectively made representation to the District

Collector i.e. respondent No.2 in this regard and therefore the petitioners pray that the respondent No.2 may be directed to decide the representation at the earliest considering the contents that the petitioners have raised in the said representation.

4. Without expressing any opinion on the merits of the case and also without interfering with the order (Annexure P/1) passed by the respondent No.4 in any manner, the writ petition simply stands disposed of permitting the petitioners to pursue the representation that they have made before the Collector in respect of their grievances that they have raised. It is expected that the respondent-Collector-Raipur, shall take a decision at the earliest in accordance with law.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder