

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 4073 of 2019

1. Godawari Bai W/o Shri Chande Sahu Aged About 38 Years R/o Village Dunda, Police Station Tikrapara, Raipur, Tahsil and District Raipur, Chhattisgarh.

---- Petitioner(s)

Versus

1. State of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya Mahanadi Bhawan, Atal Nagar, New Raipur, Chhattisgarh.
2. The State of Chhattisgarh Through Collector, Raipur, District Raipur, Chhattisgarh.
3. Sub Divisional Officer (Revenue) Arang, District Raipur, Chhattisgarh.
4. Tahsildar Arang, District Raipur, Chhattisgarh.
5. Gyanendra Singh S/o Late Harendra Singh Aged About 43 Years
6. Nagendra Singh S/o Late Harendra Singh Aged About 41 Years
7. Dharmendra Singh S/o Late Harendra Singh Aged About 40 Years
Respondents No.5 to 7 are R/o Village Semariya, Tahsil Arang, District Raipur, Chhattisgarh.
8. Chhannu Lal Sahu S/o Chamaru Ram Sahu Aged About 35 Years R/o Village Fundhar, Police Station Tikrapara, Tahsil And District Raipur, Chhattisgarh.

---Respondents

For Petitioner	:	Shri KK Dixit, Advocate.
For State	:	Ms. Sunita Jain, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.11.2019

1. The relief sought for by the petitioner is for an appropriate direction to the respondents No.5 to 7 restraining them from disturbing the petitioner's possession over the land in Village Semariya, RNM and Tehsil Arang, PH No.52/37 in Khasra No.112, measuring 1.21 Hectare.
2. Perusal of record would show that the Naib Tehsildar has already ordered for mutation in favour of the petitioner which was challenged by the respondents No.5 to 7 before the Upper Collector at the first instance and thereafter before the Divisional Commissioner and at both the places, the respondents No.5 to 7 have failed in their attempt. Thereafter, a revision

has been preferred before the Board of Revenue which is pending for final consideration on 09.12.2019.

3. Given the said facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the writ petition is disposed of reserving the right of the petitioner to approach the competent authority for appropriate steps to be taken after final disposal of the revision preferred by the respondents No.5 to 7 before the Board of Revenue. Meanwhile, all the parties in the present writ petition are directed to maintain status quo in respect of the disputed property as it exists today till the matter is finally decided by the Board of Revenue.
4. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder