

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4242 of 2019**

Savitri Gupta W/o Raghunandan Gupta, Aged About 60 Years Cast- Teli,
R/o Village Darripara, Thana And Tahsil Bhaiyathan, District Surajpur
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Commissioner, Sarguja, Ambikapur Chhattisgarh
2. State Of Chhattisgarh Through Collector, District Surajpur Chhattisgarh
3. Tahsildar Bhaiyathan, Tahsil Bhaiyathan, District Surajpur Chhattisgarh
4. Jaipati W/o Ambikaprasad, Aged About 50 Years R/o Village Darripara, Thana And Tahsil Bhaiyathan, District Surajpur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Neeraj Chobey with Ms. M. Asha, Advocates
For State	:	Mr. Ashutosh Mishra, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/11/2019**

1. Grievance of the petitioner in the present writ petition is the inaction of the part of the respondents in not conducting the joint demarcation of the property which is in dispute between the petitioner and respondent No.4.
2. Contention of the petitioner is that the petitioner had purchased the land situating in Khasra No.699/6 measuring 0.02 Hectares/ 4 Decimals. According to the petitioner, she had purchased the property from one Shanti Bai and respondent No.4 also had purchased another piece of land in the same Khasra No. from Shanti Bai. Now when the petitioner decided to construct the house, there was an allegation by respondent No.4 so far as there being an encroachment made by the petitioner. The matter thereafter has been seized by the authorities. According to the petitioner meanwhile the demarcation was got done by the petitioner as

well as by respondent No.4 and the demarcation reports received were contradictory.

3. Given the facts and circumstances of the case, this Court is of the opinion that ends of justice would meet if the writ petition can be disposed of with a direction to the respondent No.1 got the demarcation done, through respondent No.2 & 3 or any of the officer appointed by respondent No.2 in this regard for resolving the dispute once and for all in the light of the sale deed which has been executed in favour of the petitioner and respondent No.4 by Shanti Bai.
4. Let respondent No.2 & 3 conduct a joint demarcation of the property in accordance with the provisions of law and in case if the petitioner has to comply with certain formalities for the same, the petitioner should also undertake to complete the formalities for the same and demarcation report be got prepared and submitted before respondent No.1 in accordance with law within a period of 90 days.
5. With the aforesaid directions, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit