

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4314 of 2019**

Krishna Kumar S/o Shrinath Pandey Aged About 50 Years R/o Village Sambalpur, Tahsil and District Gariyaband, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur, Chhattisgarh
2. Collector Gariyaband, District Gariyaband, Chhattisgarh
3. Sub Divisional Officer Revenue, Gariyaband, District Gariyaband, Chhattisgarh
4. Rakesh Sahu Tahsildar, Gariyaband, District Gariyaband, Chhattisgarh
5. Smt. Heera Bai Sarpanch, Gram Panchayat Mainpur-2, Tahsil Gariyaband, District Gariyaband, Chhattisgarh
6. Meghlal Sahu Secretary, Gram Panchayat Mainpur-2, Tahsil Gariyaband, District Gariyaband, Chhattisgarh

---- Respondents

For Petitioner	:	Ms. S. Durga Sarni, Advocate
For State	:	Ms. Sunita Jain, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****29/11/2019**

1. The present writ petition has been filed seeking for an appropriate direction to the respondents to provide appropriate compensation and also for directing the respondent No.3 for reconstructing the structure/wall which has been demolished by respondent No.3 forcefully without any authority or law.
2. State counsel today during the course of hearing produced before this Court the Panchnama dated 27.11.2019 whereby it has been shown that demolition drive was on the encroachment made by the petitioner and

demolition drive is on the land which is reflected as "Gothan" situating in Khasra No. 44 measuring 0.24 Hectares.

3. Given the fact that there is a Panchnama prepared on 27.11.2019 showing encroachment drive made on government land encroached upon by the petitioner, this Court is of the opinion that matter would need verification of facts as to whether the demolition was made on land owned by the petitioner or the Aabadi land reflected as Gothan in the Government records.
4. Let respondent No.3 reverify the records particularly, as to whether the respondents have carried out the encroachment to determine whether the demolition was carried out on the said piece of Government land or it was on the private land owned by the petitioner. Thereafter, appropriate intimation to be given to the petitioner. Based upon which the petitioner would have other legal options open for ventilating his grievance.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit