

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4425 of 2019

Dinesh Kumar Gupta S/o. Late Shri Shiv Kumar Gupta Aged About 64 Years A/a 64, R/o. Sadar Bazar, Sarafa Line, Main Road Bilaspur, Tahsil And District Bilaspur Chhattisgarh
---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Office Of Collector Bilaspur, District Bilaspur Chhattisgarh
2. Tahsildar Office Of Tahsildar Bilaspur District Bilaspur Chhattisgarh
3. Indra Mohan Tah S/o. Late Satyaprakash Tah, A/a 68 Years, R/o Police Line Bilaspur, Tahsil And District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	: Shri Arvind Shrivastava, Adv.
For State	: Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

09.12.2019

1. The limited relief sought by the petitioner in the present writ petition is for an appropriate direction to the respondent No. 2 to consider the objections that the petitioner has raised before the respondent No. 2 vide his objections dated 22.11.2019 & 23.11.2019 (Annexure P-7 & P-8).
2. According to the Counsel for the petitioner, respondent No. 3, on three earlier occasion, had moved applications for demarcation which had been categorically rejected in the past. This fact was brought to the notice of the respondent No. 2 before proceedings further with the fresh demarcation application that the respondent No. 3 had initiated.
3. Counsel for the petitioner submits that respondent No. 2 inspite of the objections raised by the petitioner proceeded with the demarcation proceedings on 23.11.2019 and has also submitted his report, however, thereafter further development is not known to the

petitioner. He further submits that let respondent No. 2 decide the objections that the petitioner has raised on 22.11.2019 & 23.11.2019 (Annexure P-7 & P-8) at the earliest before further proceedings with the matter.

4. On this limited request, State Counsel does not have any objection except the fact as to whether any decision between 23.11.2019 till date has been taken or not by the respondent.
5. Given the said facts & circumstances of the case, this Court is of the opinion that, ends of justice would meet, if the respondent no. 2 is directed to consider the objections of the petitioner i.e. Annexure P-7 dated 22.11.2019 & Annexure P-8 dated 23.11.2019, at the earliest preferably within a period of 15 days from the date of receipt of copy of this order.
6. Meanwhile, respondents are directed to maintain status quo as it stands today on the demarcation application moved by the respondent No. 3 till the respondent No. 2 takes a decision on the objections of the petitioner.
7. Needless to mention that if the proceedings have been concluded and decision has been taken then the petitioner would be at liberty to challenge the same before the appropriate forum.
8. It shall be the responsibility of the petitioner to apprise the respondent No. 2 in respect of the order passed by this Court.
9. Accordingly, the writ petition stands disposed of.

Certified Copy Today.

Sd/-
(P. Sam Koshy)
Judge

Jyotijha