

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4562 of 2019**

Banarasi Das S/o Jagru Das Aged About 59 Years R/o. Village Salka Post
Salka Police Station Udaypur Tahsil Udaypur, District Sarguja,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- Its Secretary, Department Of Revenue, Mantralaya Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. The Collector District- Sarguja, Chhattisgarh.
3. The Sub Divisional Officer Udaypur, District Sarguja, Chhattisgarh.
4. The Tahsildar Tahsil Udaypur, District Sarguja, Chhattisgarh
5. The Revenue Inspector Patwari Halka No. 7, Village Salka Tahsil Udaypur, District- Sarguja, Chhattisgarh.
6. Ramsingh S/o Kalyan Ram Aged About 40 Years R/o Village Salka Post Salka Police Station Udaypur, Tahsil Udaypur, District Sarguja, Chhattisgarh. (Sarpanch Of Village Salka)

---- Respondents

For Petitioner	:	Mr. Rohitashva Singh, Advocate
For State	:	Mr. Somkant Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/12/2019**

1. The limited relief that the petitioner has sought for in the present writ petition is for an appropriate direction to the respondent No.3 for taking a decision on the representation/objection that the petitioner has filed on 27.11.2019.
2. The contention of the petitioner is that the petitioner and his forefather have been residing at khasra No. 1478/5 in village Salka, Tehsil Udaypur, District Sarguja, Chhattisgarh for more than 4 decades now. The name of the petitioner also is entered into the Revenue Records/Register maintained by the respondents as an encroacher. He further submits that he has already moved an application for grant of patta (Annexure P/2) before the concerned

Gram Panchayat i.e. Gram Panchayat, Salka, but no decision till date has been taken on the said application. He further submits that now certain persons with malafide intention and with vested interest have put pressure upon a State Government to construct a Hospital at the said portion, thereby the petitioner would get removed/evicted from the said place and he would be left homeless and without any land for the survival. He makes a limited request that the respondent No.3 may decide the objection as well as his claim that the petitioner has made at the earliest.

3. This limited prayer is not opposed by the respondents.
4. Accordingly, the present writ petition stands disposed of with a direction to the respondents No.2 & 3 to consider the case of the petitioner sympathetically in terms of the provisions of law applicable and the powers that vest with the District Collector for persons who are landless at the earliest.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved