

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 106 of 2020**

Purshottam Agrawal S/o Late Shri Harchand Rai Aged About 65 Years R/o Village Kharsia, In Front Of Railway Station, P. S. And Tahsil- Kharsia, District Raigarh, Civil And Revenue District Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Collector, Raigarh District Raigarh Chhattisgarh.,
2. The Superintendent Of Police Raigarh, District Raigarh, Chhattisgarh
3. The Station House Officer Police Station- Kharsia, District Raigarh Chhattisgarh.
4. The Sub Divisional Magistrate Kharsia, District Raigarh, Chhattisgarh.
5. The Tahsildar Kharsia, District Raigarh Chhattisgarh.
6. The Chief Municipal Officer Kharsia, District Raigarh, Chhattisgarh
7. Kunti Bai Yadav D/o Late Sadhuran Yadav Aged About 61 Years R/o In Front Of Goushala Road, Madanpur, Ward No. 1, Kharsia, Tah. Kharsia, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Manoj K. Sinha, Advocate
For State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/01/2020**

1. The relief sought for by the petitioner in the present writ petition is for an appropriate direction to the respondent authorities to get the respondent No.7 vacated from the subject land involved in the case situated at khasra No. 44/3 measuring 0.458 hectare.
2. Counsel for the petitioner submits that he has already got an order in his favour from the concerned Court of law in a Civil Appeal, which was decided as early as on 12.02.1992, which has further been affirmed by the High Court rejecting the Second Appeal No. 307/1992, which too got dismissed on 30.10.2010.

3. The counsel for the petitioner submits that he has also approached the authorities in the Revenue Department under Section 250 of the Chhattisgarh Land Revenue Code and has already got an order also in his favour vide order dated 19.09.2007. However no further development has transpired, thereafter, inspite of the learned Tehsildar sending intimation for providing police force vide his letter dated 30.11.2015 and also specific directions given to the respondent No.7 for vacating the said premises.
4. Perusal of the record would show that in the event of a non-compliance of an order passed under Section 250, the authority concerned has been given with the power of sending the person in civil imprisonment. The authority also has been given the power to provide ample police protection in getting the possession restored under Section 250A and 250B of the aforesaid code of 1959.
5. Given the said facts and circumstances of the case, the petitioner is directed to approach the respondents No. 4 & 5 for taking an appropriate decision under Sections 250A & 250B of the Code of 1959. In the event, if the petitioner approaches the authorities, they are directed to take immediate steps in accordance with law in getting the order of the authorities complied at the earliest.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge