

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 567 of 2020**

1. Minhaz Ahmad Niyazi S/o Niyaz Niyazi Aged About 57 Years R/o Village Ranka, Tahsil Berla, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh
2. Nisar Ahmad Niyazi S/o Niyaz Niyazi Aged About 55 Years R/o Village Ranka, Tahsil Berla, District - Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh
2. The Collector, Bemetara, District Bemetara Chhattisgarh
3. The Sub - Divisional Officer (Rev.) , Saja, District Bemetara Chhattisgarh
4. The Tahsildar, Berla, District Bemetara Chhattisgarh.
5. Gram Panchayat, Ranka, Through The Sarpanch, Block Berla, Tahsil Berla, District - Bemetara Chhattisgarh.

----Respondents

For Petitioner	: Shri Punit Ruparel, Adv.
For State	: Shri Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/02/2020**

1. The relief sought for by the petitioners in the present writ petition is for an appropriate direction to the respondent No. 5 not to interfere with the peaceful possession of land over which the petitioners are in possession.
2. The contention of the counsel for the Petitioners is that Petitioners are Ex-army men, after retirement petitioners have been allotted this land by the Tahsildar in accordance with the provision of law way back on 08.08.1990. Since then, petitioners are in possession of the same.
3. The grievance of the petitioners is that, of late, the respondent No. 5 has been making unwanted complaints against the petitioners in

respect of allotment of land that has been received by the petitioners.

4. Perusal of records would show that all these complaints and the notices issued by the respondents authorities are way back of the year 2007 and 2013. There is no any notice recently issued from any of the respondents. Moreover, it is only a notice whereby the authorities have called upon the petitioners to show their right over property which is in their possession.
5. It is expected that the petitioners would produce all relevant records before the authorities concerned to show that he has been rightly and legally given the patta or not. Further, whether they are in possession only of that much portion of land which has been duly assigned to them, whether the petitioners have encroached upon any piece of land or not.
6. That subject to the petitioners furnishing all these details, it is expected that the respondents shall verify the same only in accordance with law and proceed further with the matter, in case, if need so arises. It is made clear that, this Court has not expressed any opinion on the merits of the case so far as petitioners' right over the said land is concerned. It is a matter of enquiry which on receipt of complaints or on proceedings drawn by the respondents, they have to verify and pass a speaking order in respect of land.
7. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge