

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.720 of 2020

Kamlesh Tiwari @ Bhanu Tiwari S/o Late Shri Durga Prasad Tiwari Aged About 55 Years R/o Mahamaya Para Ratanpur, Tehsil Kota, District Bilaspur, Chhattisgarh.

---Petitioner(s)

Versus

- 1.** State of Chhattisgarh Through The Naib Tehsildar, Ratanpur, District Bilaspur Chhattisgarh.
- 2.** The Collector Bilaspur District Bilaspur Chhattisgarh.
- 3.** The Sub Divisional Officer Kota District Bilaspur Chhattisgarh.
- 4.** The Commissioner Bilaspur District Bilaspur Chhattisgarh.
- 5.** The Station House Officer Ratanpur, District Bilaspur Chhattisgarh.
- 6.** Kanchan Devi W/o Late Shri Narayan Chitrakar R/o Mahamaya Para, Ratanpur, Tehsil Kota, District Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Hariom Rai, Advocate.
For State	:	Shri Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

24.02.2020

- 1.** The grievance of the petitioner seems to be an illegal encroachment made by the respondent No.6 on the government land situated in Khasra No.3333, village, Ratanpur, P.H. No.17 under Tehsil Kota, District Bilaspur.
- 2.** The contention of the petitioner is that, the respondent No.6 has illegally encroached upon the Abadi Land of the government and has made huge construction on the said land. The counsel for the petitioner drew the attention of the court to the order passed from the court of Tehsildar, Ratanpur, in Revenue Case No.37/2006-07, wherein the Tehsildar, as early as on 10.10.2006 had asked the respondent No.6 to vacate the premises and hand over the same to the petitioner herein. However, the respondent authorities subsequently have found that even the petitioner herein is not entitled for possession of the said land as the land is an Abadi Land recorded in the name of government.

3. Given the said facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the respondents No.1 to 3 is directed to take an appropriate steps in respect of the land situating at Khasra No.3333 in Village Ratanpur, P.H. No.17 under Tehsil Kota, District Bilaspur. Let an appropriate verification/investigation be conducted as to whether any encroachment has been made on the said land or not, and if any encroachment is found, appropriate steps under the law be taken for removing all such illegal encroachments made on the said land.
4. It is expected that the respondents No.1to3 shall take a decision as expeditiously as possible.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder