

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 874 of 2020**

Vinod Kumar Jaisawal S/o Shankerlal, Aged About 43 Years,
Occupation Business, R/o Indira Nagar, Raigarh, District Raigarh,
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Naya Mantralaya, Nawa Raipur, District Raipur, Chhattisgarh
2. The Additional Commissioner, Bilaspur Division, Bilaspur, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Gharghoda, District Raigarh, Chhattisgarh
4. The Collector Raigarh, District Raigarh, Chhattisgarh
5. Naib Tahsildar, Raigarh, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Amit Sharma, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.03.2020**

1. The grievance of the petitioner in the present writ petition is that against an order passed by the Tehsildar in a proceeding under Section 248 Chhattisgarh Land Revenue Code the petitioner had preferred a First Appeal before the SDO which stood rejected vide order dated 10.01.2020. Against the said order passed in First Appeal by the Sub

Divisional Officer, the petitioner preferred a Second Appeal to the Additional Commissioner who too initially entertained the Second Appeal and granted interim protection on 13.01.2020. However, thereafter on two subsequent date of hearing, the interim protection has not been extended. Therefore, the petitioner has an apprehension that his property may be demolished in between pending the Second Appeal before the Additional Commissioner. He seeks only an interim protection that pending the Second Appeal, the respondents may not take any step for demolition of the property in question.

2. To the limited relief sought for by the petitioner State counsel does not oppose.
3. Accordingly, the writ petition stands disposed of directing the respondent no.2 to take a decision on the Second Appeal, pending before him, preferred by the petitioner, if possible on the next date of hearing itself. In the light of the interim protection granted by the respondent no.2 on 13.01.2020, no demolition work may be permitted pending the Second Appeal before the Additional Commissioner. Appropriate steps can be taken by the authorities concerned only after the Second Appeal is decided.
4. Certified copy today.

Sd/-
P. Sam Koshy
Judge