

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1506 of 2019

Harishankar Patel S/o Late Shri Krishnalal Patel Aged About 53
Years R/o Bhedikona, Dabhra, District Janjgir-Champa Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh
2. Collector Janjgir-Champa, District Janjgir-Champa Chhattisgarh
3. Additional Collector Janjgir-Champa, District Janjgir-Champa Chhattisgarh
4. Sub-Divisional Officer (Revenue) Dabhra, District Janjgir-Champa Chhattisgarh.
5. Tahsildar Dabhra, District Janjgir-Champa Chhattisgarh.

---Respondents

For Petitioner	: Shri Manoj Paranjpe, Advocate.
For Respondent-State	: Shri Mateen Siddiqui, Dy. A.G.
For Intervenor	: Shri Kamal Kishore Patel, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

01.09.2020

1. The limited relief that the petitioner has sought for in the present writ petition is for a direction to the respondents No. 2 to get the enquiry which he has already ordered in respect of the claimants to the land bearing Khasra No. 1698/6 measuring 2.05 acres, Basra No. 412 at village Sakrali Dabhra District Janjgir Champa.
2. According to the counsel for the Petitioner, he is the only claimant to the said property whereas according to the intervenor, the said property was a joint family property and which has been purchased with the income of the joint family. According to the intervenors there are a large number of co-owners who have also got a claim over the said property.
3. Counsel for the Petitioner submits that his limited relief through the present writ petition is for the authorities to conduct an enquiry and in the course of

enquiry, they can also hear all the claimants to the said property including the intervenors and co-owners, if any who intends to object to the claim of the petitioner.

4. The limited relief sought for by the petitioner was not opposed by the State Counsel or by the Counsel for the intervenors.
5. Given the said submissions, the writ petition is disposed of at this juncture with a direction to the respondents No. 2 to 4 to ensure that the enquiry which has been ordered to by the respondent No. 2 is concluded in accordance with law at the earliest. It is further directed that in the process of conducting the enquiry, the respondent-authorities shall call upon all affected persons and shall also grant an opportunity of hearing to all those interested to oppose the petition or to support the claim of the petitioner by intervention also. The intervenors in the present writ petition are at liberty to approach the authorities and lodge their objections so far as the claim of the petitioner is concerned which shall also be duly considered by the authorities in the course of enquiry. Let the enquiry be concluded at the earliest preferably within a period of 4 months.
6. With the aforesaid direction, the writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**

Jyotijha