

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1476 of 2020**

Sanjay Kumjar Gupta S/o Late Madhusudan Gupta, Aged About 36 Years R/o  
Karbala Road, Gali No. 3, Bilaspur (Chhattisgarh), ---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Post And P S Mandir Hasaud, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Bilaspur Chhattisgarh
3. Sub Divisional Officer (Revenue) Bilaspur Chhattisgarh
4. Tahsildar Bilaspur Chhattisgarh.
5. Parag Maurya S/o Late Mannilal Maurya, Aged About 64 Years R/o Juna Bilaspur Chhattisgarh.

---- **Respondents**

|                |   |                             |
|----------------|---|-----------------------------|
| For Petitioner | : | Mr. Varun Sharma, Advocate  |
| For State      | : | Mr. Jitendra Pali, Dy. A.G. |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**21/07/2020**

1. The limited grievance that the petitioner has raised in the present writ petition is the inaction on the part of the respondent No. 4- the Tahsildar for not initiating appropriate proceedings under Section 248 of the Chhattisgarh Land Revenue Code, 1959 on an application moved by the present petitioner.
2. The grievance of the petitioner is that adjacent to the petitioner's land which situates at Khasra No. 2513/5 & 2513/8 in village Mopka, Tahsil & District Bilaspur is Government grass land. Of late, the respondent No. 5 has illegally encroached upon the said Government land adjacent to the petitioner's property and is also trying to encroach upon the petitioner's property. Immediately thereafter, the petitioner has moved an application under Section 248 of the Chhattisgarh Land Revenue Code 1959 but the respondent No. 4 thereafter has not proceeded any further on the said application. The petitioner wants a limited direction against the respondent No. 4 to take immediate steps for proceedings

on the application under Section 248 of the Chhattisgarh Land Revenue Code filed by the petitioner.

3. The limited relief sought for is not opposed by the State Counsel.
4. Given the said facts and circumstances of the case, this Court is of the opinion that considering the limited relief that the petitioner has sought for in the present writ petition, the present writ petition can be disposed of directing the respondent No. 4 to immediately take steps on the application under Section 248 of the Chhattisgarh Land Revenue Code, 1959 filed by the petitioner in accordance with law and the same be concluded at the earliest preferably within an outer limit of 6 months from the date of receipt of copy of this order.
5. The respondent No. 4 is also directed to consider the request of the petitioner, if he makes an application for passing an appropriate interim restrain order to the respondent No. 5 from carrying any illegal construction on the Government grass land so also on the petitioner's property. On such an application being made, the same should be decided on priority basis at the earliest.
6. With the aforesaid observations/directions, the writ petition accordingly stands disposed of.

Sd/-

**(P. Sam Koshy)**  
**Judge**

Jyotijha