

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP(C) No. 1806 of 2020**

1. Mahmood Alam S/o Late Mohd. Husain Aged About 55 Years R/o Village Kanakpur P.S. Ramanujanj Tahsil Ramanujanj District Balrampur Ramanujanj Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Forest Mahanadi Bhawan New Raipur, District Raipur Chhattisgarh.
2. The Secretary Department Of Revenue Mahanadi Bhawan New Raipur, District Raipur Chhattisgarh.
3. The Collector Balrampur District Balrampur District Balrampur Ramanujanj Chhattisgarh
4. Sub Divisional Officer Revenue Ramanujanj District Balrampur Ramanujanj Chhattisgarh.
5. Divisional Forest Officer Balrampur District Balrampur Ramanujanj Chhattisgarh.
6. The Forest Range Officer Forest Range Ramanujanj District Balrampur Ramanujanj Chhattisgarh.
7. Forest Guard Forest Beat Rampur Range Ramanujanj District Balrampur Ramanujanj Chhattisgarh.

----Respondents

For Petitioner	:	Mr. A. N. Pandey, Adv.
For State/Respondent	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/08/2020**

1. The grievance of the petitioner in the present writ petition is to the action on the part of the respondents No. 5 to 7 in illegally entering into the petitioner's property, demolishing his cattle shed and his cultivation etc.
2. The petitioner in the present writ petition has specifically pleaded that the petitioner is in possession of the said property for a period of about 40 years by now and as early as in the year 1982, a patta was issued in his favour for the said land. In due course of time, settlement of that property has also been done and the name of the petitioner has also been entered in the revenue records as the owner of the said property. According to the counsel for the petitioner

ignoring these aspects, the respondents No. 5 to 7 are entering over the petitioner's property and dispossessing the petitioner from the property.

3. Considering the submission that the petitioner has made and the document that the petitioner has filed in the present writ petition it clearly reflects that there are some documents in favour of the petitioner to show that the petitioner is the owner of the said property and he has documents in that regard and his name is also entered in the revenue records.
4. If that be so, this Court is of the opinion that the writ petition itself can be disposed of at this juncture directing the respondent-authorities to get the property of the petitioner over which the patta has been issued in his favour measured and demarcated to the extent of property which is reflected in his name in the revenue records, unless of course, the name of the petitioner stands cancelled or the patta has been cancelled. The respondent authorities after due demarcation/ identification of the property of the petitioner shall not disturb the peaceful possession of the petitioner's enjoyment of his right over the said property.
5. However, the respondent-authorities shall be entitled to carry out with their plantation work or any other work over the remaining portion of land beyond the property of the petitioner.
6. With the aforesaid direction/ observation, the writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha