

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1769 of 2020**

1. Kishore Agrawal, S/o Late Shri Hari Prasad Agrawal, aged about 56 years, R/o Ward No. 20, Manendragarh P.S. Manendragarh, District Koriya Chhattisgarh
- Petitioner**

1. Versus

1. State Of Chhattisgarh Through the Secretary, Department of Revenue, Mahandi Bhawan Capital Complex, Mantralaya, Naya Raipur, District Raipur.
2. The Collector Koriya, Collectorate Office at Baikunthpur, district Koriya, Chhattisgarh.
3. Sub Divisional Officer (R) Manendragarh, District Koriya, Chhattisgarh.
4. Tehsildar, Manendragarh, District Koriya.
5. Shri Narayan Agrawal, S.o Late Shri Durga Dutt, aged about 88 years, R/o Ward No. 20 Manendragarh, District Koriya.
6. Shri Sanket Kumar Agrawal, S/o Shri Basant Kumar Agrawal, aged about 33 years, R/o Ward No. 20, Manendragarh, District Koriya Chhattisgarh.
7. Shri Saket Kumar Agrawal, S/o Shri Kailash Kumar Agrawal, aged about 30 years, R/o Ward No. 20, Manendragarh, District Koriya.

---- Respondents

For Petitioner	:	Mr. Vivek Kumar Agrawal, Adv.
For State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/08/2020**

1. The grievance of the petitioner in the present writ petition is the inaction on the part of the respondent-authorities whereby the respondents No. 5 to 7 are trying to dispossess the petitioner from the property which is in his possession since ages.
2. According to the petitioner, it is the ancestor's property and he has inherited the said property and which is in his possession for the last 60 years.

Meanwhile the respondents No. 5 to 7 are trying to interfere with the possession of the petitioner over the said land.

3. Perusal of the pleading that the documents enclosed along with the writ petition would reveal that there is already a Civil suit filed by the petitioner pending before the Court of Civil Judge Class-2, Manendragarh, District Koriya. It also reveals that there is also a Civil Revision pending before this High Court i.e. the Civil Revision No. 99/2019 wherein the further proceedings of the Civil suit has been stayed.
4. In view of the aforesaid two litigations pending before two forums, this Court is of the firm view that in the highly disputed question of fact and also considering the fact that the nature of dispute involved in the present writ petition is purely between the private individuals i.e. the petitioner and the respondents No. 5 to 7. It would not be appropriate for this Court to exercise its writ jurisdiction under such circumstances.
5. Given the said facts, this Court is of the opinion that the remedy available to the petitioner would be to approach the High Court in said civil revision pending for an appropriate relief. Reserving the right of the petitioner to avail the appropriate remedies as also the remedy of approaching the state authorities in this regard the writ petition accordingly stands disposed-of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha