

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1660 of 2020**

1. Rajkumar S/o Chhotu Ram Aged About 43 Years Caste Binjhwar (ST), Occupation- Presently Sarpanch Of The Gram Panchayat Dhukupathra, Village Dhukupathra, Tahsil Pali, District Korba, Chhattisgarh.
2. Bodhan Singh S/o Budhwar Singh, Aged About 53 Years Caste Gond (ST), Occupation Farmer, Village Dhukupathra, Tahsil Pali, District Korba, Chhattisgarh
3. Shravan S/o Budhwar Aged About 37 Years Caste Lohar (OBC), Occupation Farmer, Village Dhukupathra, Tahsil Pali, District Korba, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through The Secretary, Ministry Of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh.
2. Collector Korba, Collectorate, District Korba, Chhattisgarh.
3. Collector Bilaspur, Collectorate, District Bilaspur, Chhattisgarh
4. Sub Divisional Officer (Revenue) Tahsil Pali, District Korba, Chhattisgarh
5. Tahsildar Tahsil Pali, District Korba, Chhattisgarh.
6. Sarpanch Gram Panchayat Sees, Village Sees, Tahsil Kota, District Bilaspur, Chhattisgarh
7. Gram Panchayat Sees Village Sees, Through Secretary, Gram Panchayat Sees, Tahsil Kota, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Dilman Rati Minj, Advocate
For State	:	Mr. V. R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/07/2020**

1. The grievance of the petitioners is in respect of the action of Gram Panchayat Sees, which falls under district Bilaspur illegally constructing a Gouthan over 3 acres of land which otherwise falls

under the territories of the Gram Panchayat Dhukupathra under District Korba.

2. According to the petitioners, they do not have any objection, so far as the Gram Panchayat Sees constructing the Gouthan within the territories of Gram Panchayat Sees. The only grievance is that they should not encroach upon the territories of Gram Panchayat Dhukupathra for construction of the same. The petitioners are representatives of the Gram Panchayat Dhukupathra and the petitioner No.1 is the present Sarpanch of said Gram Panchayat.
3. Learned State counsel at this juncture submits that considering the nature of dispute that the petitioners have raised, the whole issue can be resolved by the [Tehsildar](#), Tehsil Kota, District Bilaspur, who may consider the territories of Gram Panchayat Sees under Tehsil Kota and shall also demarcate the territories of that Gram Panchayat ensuring that the persons responsible for construction of the Gouthan at Gram Panchayat Sees do not cross over into the boundaries of Gram Panchayat Dhukupathra which falls under Tehsil Pali in District Korba.
4. Let the petitioners approach the [Tehsildar](#), Tehsil Kota by making a fresh detailed representation showing the territories of Gram Panchayat Dhukupathra and also reflecting the area over which according to the petitioners, the Gram Panchayat Sees is constructing the Gouthan and where the territories of Gram Panchayat Dhukupathra is getting encroached.

5. Let the petitioners file a representation within a period of 7 days from today to the [Tehsildar](#) Kota. Meanwhile, let status-quo as it exists today be maintained by all the parties.
6. The State counsel shall also instruct the [Tehsildar](#), Tehsil Kota in respect of the order of restrain passed by this Court asking the Tahsildar to ensure that the Gram Panchayat in the process of construction of Gouthan shall not cross over the boundaries of Gram Panchayat Sees.
7. With the aforesaid observations, the present writ petition stands disposed of.

Certified copy today.

Sd/-
(P. Sam Koshy)
Judge

Ved