

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1808 of 2020**

Panchram Sonwani S/o Shri Baliram Sonwani Aged About 44 Years R/o Village Thathari P.S. Baradwar, Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer In Charge Police Station Baradwar, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents**WPC No. 1813 of 2020**

Tikaram Sonwani S/o Shri Kaliram Sonwani Aged About 40 Years R/o Village Thathari P.S. Baradwar, Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer In Charge Police Station Baradwar, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)

8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1816 of 2020

Tukram Sonwani S/o Shri Kaliram Sonwani Aged About 60 Years R/o Village- Thathari, P.S.- Baradwar, Tahsil- Jaijaipur, Civil And Revenue District- Janjgir Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District - Raipur, Chhattisgarh
2. Tehsildar, Jaijaipur Civil And Revenue District- Janjgir Champa, Chhattisgarh
3. Officer-In-Charge Police Station Baradwar, Civil And Revenue District- Janjgir Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1818 of 2020

Ramgopal Mahilange S/o Shri Tijauram Mahilange Aged About 45 Years R/o Village- Thathari, P.S.- Baradwar, Tahsil- Jaijaipur, Civil And Revenue District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District-Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Tehsildar, Through Tehsildar, Jaijaipur, Civil And Revenue District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
3. Office-In-Charge, Through Office-In-Charge, Police Station Baradwar, Civil And Revenue District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)

6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1819 of 2020

Ram Prasad Sonwani S/o Shri Kaliram Sonwani Aged About 48 Years R/o Village Thathari, P.S. Baradwar, Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Office In Charge Police Station Baradwar, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1821 of 2020

Jyoti Prasad Uraon S/o Late Shri Pawan Uraon Aged About 46 Years R/o Village- Thathari, P.S.- Baradwar, Tahsil- Jaijaipur, Civil And Revenue District- Janjgir-Champa, District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Tehsildar, Through Tehsildar, jaijaipur, Civil And Revenue District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
3. Office-In-Charge, Through Office-In-Charge, Police Station Baradwar, Civil And Revenue District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)

5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1822 of 2020

Chandrika Bai Sonwani D/o Shri Kaliram Sonwani Aged About 54 Years
R/o Village - Thathari, P.S.- Baradwar, Tahsil - Jaijaipur, Civil And Revenue
District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur, Civil And Revenue District- Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer-In-Charge Police Station Baradwar, Civil And Revenue District - Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1827 of 2020

Balram Singh Mahilange S/o Shri Tijauram Mahilange Aged About 38 Years
R/o Village- Thathari P. S. Baradwar, Tahsil- Jaijaipur, Civil And Revenue
District Janjgir Champa Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

2. Tehsildar Jaijaipur, Civil And Revenue District- Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer-In- Charge Police Station Baradwar, Civil And Revenue District Janjgir- Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1851 of 2020

Panda Ram Sonwani S/o Shri Kaliram Sonwani Aged About 65 Years R/o Village Thathari Police Station Baradwar, Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer In Charge Police Station Baradwar, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1852 of 2020

Tijauram Mahilange, S/o Late Shri Nakchhedram Mahilange Aged About 80 Years R/o Village - Thathari Police Station - Baradwar, Tahsil - Jaijaipur, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar, Jaijaipur, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer - In - Charge, Police Station Baradwar, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1853 of 2020

Mohanlal Mahilange S/o Shri Brahma Mahilange Aged About 48 Years R/o Village- Thathari P.S.- Baradwar, Tahsil- Jaijaipur, Civil And Revenue District- Janjgir-Champa, (C.G.), District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur, (C.G.), District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur, Civil And Revenue District- Janjgir Champa, (C.G.), District : Janjgir-Champa, Chhattisgarh
3. Officer-In-Charge Police Station Baradwar, Civil And Revenue District- Janjgir-Champa, (C.G.), District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

WPC No. 1869 of 2020

Chatram Sonwani S/o Shri Baliram Sonwani Aged About 41 Years R/o Village- Thathari P.S.- Baradwar, Tahsil- Jaijaipur, Civil And Revenue District- Janjgir Champa, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur, Chhattisgarh
2. Tehsildar, Jaijaipur Civil And Revenue District- Janjgir Champa, Chhattisgarh
3. Office- In- Charge Police Station Baradwar, Civil And Revenue District- Janjgir Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)
8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- **Respondents**

WPC No. 1870 of 2020

Ramkumar Mahilange S/o Shri Brahma Mahilange Aged About 60 Years R/o Village Thathari P.S. Baradwar, Tahsil Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Tehsildar Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Officer In Charge Police Station Baradwar, Civil And Revenue District Jajgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Collector, Janjgir, Civil & Revenue District – Janjgir, Champa (C.G.)
5. Jila Panchayat Janjgir through Chief Executive Officer Jila Panchayat Janjgir, Civil & Revenue District – Janjgir Champa (C.G.)
6. Sub-Divisional Officer (Revenue), Sakti, Civil & Revenue District- Janjgir Champa (C.G.)
7. Janpad Panchayat Jaijaipur through Chief Executive Officer, Janpad panchayat Jaijaipur, Civil & Revenue District – Janjgir Champa (C.G.)

8. Gram Panchayat Thathari through Secretary Gram Panchayat Thathari, Janpad Panchayat, Jaijaipur, Civil & Revenue District -Janjgir Champa (C.G.)

---- Respondents

For Petitioner	:	Mr. Ramesh Nayak, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. AG Mr. Mateen Siddiqui, Dy. AG, Mr. Sudeep Verma, Mr. Anand Verma & Mr. Siddharth Dubey, Dy. GA & Mr. Raghvendra Verma, GA

Hon'ble Shri Justice P. Sam Koshy

Order on Board

21/08/2020

1. The present bunch of writ petitions arises out of the same issue where action on the part of the respondent No.2 & 3 was under challenge.
2. Contention of the petitioners in all the matters are that respondent No.2 & 3 have forcefully dispossessing the petitioners from the property which is in their possession since ages. According to the petitioner they had Adhikar Patta issued by the respondents in their favour in respect of the aforesaid land. Ignoring the said fact the respondents are trying to enter upon the property of the petitioners and are destructing the standing crop and also the structures in the said property.
3. On the previous date of hearing i.e. 19.08.2020 this Court had directed the respondents to seek instructions and also consider whether the decision of the respondents of construction of the Gouthan (Cattle Shed) could be shifted to a different location other

than the place where the petitioners are residing and in possession of their property.

4. Today, Learned counsel appearing for the respondents submit that the matter was duly considered by the District Administration and after much deliberations it has been decided that construction of the Gouthan is to be shifted to a different location. Accordingly respondent No.2 has also sited a different location for construction of the same. Learned counsel for the Respondents further submit that Secretary of the Gram Panchayat and Chief Executive Officer of the Janpad Panchayat have also agreed to the said proposal and site recommended by the respondent No.2
5. In view of the decision taken by the respondents for shifting the site of construction of Gouthan from the place in possession of the petitioners to a different location the grievance of the petitioners would stand resolved.
6. At this juncture, learned counsel for the petitioners submits that in the bunch of cases, in the case of three of the petitioners there has been some demolition which the respondents had already carried and that these petitioners are very poor persons and they may be given some support by the local District Administration to re-establish in the said property.
7. Let those petitioners, whose property is said to be demolished, approach the concerned Gram Panchayat or the Janpad Panchayat as also the District Collector by way of representation in this regard and the authorities in turn may consider in accordance with the powers which are there with them under such situation. It is expected

that the respondent authorities shall consider the same sympathetically.

8. With the aforesaid directions, all these writ petitions stand disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit