

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2100 of 2020**

1. Prem Ram Vishwakarma S/o Late Munniram Vishwakarma Aged About 72 Years
2. Ramsharan Vishwakarma S/o Late Munniram Vishwakarma Aged About 48 Years

Both Resident Of New Mahamaya Road, Koawadad Nagar, Ambikapur, Police Station And Tahsil Ambikapur, District Surguja, Chhattisgarh, Pin 497001

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Town And Country Planning Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur, Chhattisgarh
2. The Collector, Ambikapur District Surguja, Chhattisgarh, Pin 497001
3. Nazul Officer Department Of Nazul, Ambikapur, Tahsil Ambikapur, District Surguja, Chhattisgarh, Pin 497001

---- Respondents

For Petitioners	:	Mr. Sudhir Verma, Advocate
For State	:	Mr. Anand Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

29/09/2020

1. The grievance of the petitioners is that the property over which the petitioners have a bhumiswami right has been wrongly recorded as government land in the revenue records.
2. According to the petitioners, their ancestors were in possession of the property, even before the Chhattisgarh Land Revenue Code came into force. According to the petitioners, they are in possession of the property since 1946 onwards. However, without the

knowledge and notice of the petitioners, the property seems to have been wrongly recorded as government land in the revenue records. The contention of the petitioners is that they had approached the Nazul Officer in this regard, but the Revenue officer orally refused to accept their application for correction of the record on the ground that since in the record it is reflected as government land, their application cannot be entertained or accepted.

3. It is relevant at this juncture to take note of the fact that the Chhattisgarh Land Revenue Code itself in Section 115 provides for correction of wrong entry in the land records.
4. Given the said provisions of law, the petitioners are directed to approach the respondents No.2 & 3 for necessary correction of the revenue records taking into consideration the documents that the petitioners have in their possession showing their right and title over which the said property. Upon the such an application being moved, the respondent No.3 is directed to take an appropriate decision after due verification of records and an order be passed at the earliest preferably within a period of 4 months from the date of receipt of the application from the petitioner.
5. It is made clear that the respondent No.3 shall decide the application on its own merits in accordance with law after a reasonable opportunity of hearing is given to the petitioners.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge