

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1694 of 2020

1. Durga Prasad S/o Shri Mohitram Aged About 40 Years Caste Kurmi,
2. Kamlesh Kumar S/o Mohitram Aged About 35 Years Caste Kurmi,
Both are Resident of Village Newsa, Tahsil and District Bilaspur Chhattisgarh.
3. Yashoda Bai W/o Narayan Aged About 50 Years Caste Kurmi Resident of
Village Gadwat, Tahsil and District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department of Revenue,
Mahanadi Bhawan, Mantraya New Raipur , District Raipur Chhattisgarh.
2. Sub Divisional Officer (Revenue) Bilaspur , District Bilaspur Chhattisgarh.
3. Tahsildar/Additional Tahsildar, Tahsil Bilaspur, District Bilaspur
Chhattisgarh.
4. Gopinath @ Gopiram S/o Ramji Aged About 48 Years Caste Kurmi ,
5. Ramesh Kumar S/o Ramji Aged About 44 Years Caste Kurmi ,
6. Suresh Kumar S/o Ramji Aged About 35 Years Caste Kurmi,
7. Putenabai W/o Ramji Aged About 74 Years Caste Kurmi,
All are Resident of Village Newsa, Tahsil and District Bilaspur
Chhattisgarh.

---Respondents

For Petitioners	:	Shri Lavkush Kumar Sahu, Advocate.
For Respondent-State	:	Shri Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26.08.2020

1. The limited relief sought for by the petitioner in the present writ petition is for a direction to the respondent authorities to consider and decide the application under Sections 109 and 110 read with Section 164 of the Chhattisgarh Land Revenue Code pending before the respondent No.4 for the last about 7 years.
2. The limited relief is not opposed by the State counsel.
3. Accordingly, the writ petition stands disposed of directing the respondent No.4 to decide the application of the petitioner for partition in accordance with provisions of law at the earliest preferably within a period of 120 days from the date of receipt of copy of this order.

Sd/-
(P. Sam Koshy)
Judge

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No.425 of 2020

Durga Prasad & Others Vs. State of Chhattisgarh & Others

03.09.2020	Shri Lavkush Kumar Sahu, Advocate for the petitioners. Shri Anand Verma, Deputy Govt. Advocate for the State. The present MCC has been filed seeking modification of the order dated 26.08.2020 passed by this court in WPC No.1694 of 2020. The modification sought for is to the extent that in paragraphs 1 & 3 inadvertently in place of respondent No.3 it has been got typed as respondent No.4 and in the application for mutation which is pending before the respondent No.3 in paragraph 3 the word "Partition" has been used instead of "Mutation". The State counsel does not oppose the modification sought for. Accordingly, the present MCC stands allowed. The order dated 26.08.2020 in WPC No.1694 of 2020 stands modified to the extent that in paragraphs 1 in place of respondent No.4, it shall be read as "respondent No.3". Similarly, in paragraph 3 again, in place of word "Partition", it shall be read as "Mutation". With the aforesaid modification, the MCC stands allowed. Let a copy of this order be made part of the records of WPC No.1694 of 2020. Sd/- (P. Sam Koshy) Judge
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