

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2268 of 2020

1. Jahir Lal, S/o Late Khora, Aged About 55 Years, Caste- Uraon, Occupation Cultivator, R/o Village Singitana, Tahsil And Police Station Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Department Of Nazul And Revenue Mahanadi Bhawan, District : Raipur, Chhattisgarh
2. The Collector, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh
3. The Sub-Divisional Officer, Udaypur, District : Surguja (Ambikapur), Chhattisgarh
4. The Tahsildar, Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh
5. Gram Panchayat, Singitana, Post Lahpatra, P.S. Lakhanpur, Through- The Sarpanch, District : Surguja (Ambikapur), Chhattisgarh
6. The Secretary, Gram Panchayat, Singitana, Post Lahpatra, P.S. And Tahsil- Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh
7. The Revenue Inspector, Circule Lakhanpur, Tahsil- Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh
8. The Halka Patwari, Village- Singitana, P.S.- Lakhanpur, District : Surguja (Ambikapur), Chhattisgarh

-----Respondents

For Petitioner	:	Mr. Ashok K. Shukla, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04.11.2020

1. The grievance of the petitioner in the present seems to be the alleged

illegal act on the part of the respondent no. 5 and 6 whereby they are interfering with the peaceful possession of the land which stands allotted to the petitioner which situates in Village: Singitana, Tahsil: Lakhanpur, Khasra No. 244, admeasuring area 0.020 hectare vide Annexure P-1.

2. The contention of the counsel for the petitioner is that right from the time of the petitioner, the petitioner is in possession of the same and also residing in his house which has been constructed under the Indira Awas Yojna. However, now vide with a malafide intention, the respondent no. 5 and 6 are trying to dispossess the petitioner from the said land and also converting the said land into a grazing land.
3. The counsel for the respondents-State submits that from the photographs enclosed with the writ petition as also from the representation that the petitioner has made to the authorities, it does not reflect that the area where the respondent no. 5 and 6 are converting it to a grazing land belonging to the petitioner. According to the learned Additional Advocate General, the petitioner may have a right only to the extent of the land allotted to him and not beyond that, the petitioner cannot be claiming any right over the adjoining land.
4. Considering the submissions that has been made by the counsel appearing on the either side and also taking note of Annexure P-1, which is an order of allotment of land measuring 0.020 hectare in Khasra No. 244 in Village: Singitana, Tahsil:Lakhanpur, District: Surguja, (C.G.). The said allotment till date is not cancelled nor is it the stand of the respondents.
5. Given the said facts this Court of the opinion that the writ petition itself can be disposed off at this admission stages, directing the respondent no. 3 and 4 to ensure that proper demarcation of the property, which is

allotted in the name of the petitioner be done and the respondents are further directed not to interfere with the peaceful possession of the petitioner that he enjoys by virtue of Annexure P-1 unless the same stands cancelled at any point of time. The petitioner is also directed to ensure that he does not create any hurdle in so far as the activities which the respondents undertake in any property other than the property which has been allotted to the petitioner.

6. The present writ petition, accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rahul