

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2341 of 2020**

Dr. N. P. Mishra S/o Vashudev Prasad Mishra Aged About 54 Years Block
Medical Officer Of C.H.C. Dabhra Tahsil Dabhra District Janjgir Champa
Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue And
Disaster Management Mahanadi Bhawan New Raipur District Raipur
Chhattisgarh
2. Collector Janjgir Champa, District Janjgir Champa Chhattisgarh
3. Chief Municipal Officer Nagar Panchayat Dabhara District Janjgir Champa
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Kamal Kishore Patel, Advocate
For State	:	Mr. Raghvendra Verma, GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12/10/2020**

1. The grievance of the petitioner in the present writ petition is the
issuance of the Annexure P-1 dated 14.09.2020 whereby the
respondent No.3 has issued the notice to the petitioner for removing
the illegal encroachment made by the petitioner on the Government
land particularly the area and the hand pump which was existing and
which is alleged to have been removed by the petitioner and have put
his submersible pump and is using the same for his private purpose.

2. State counsel on the other hand opposing the petition submits that from the notice by the respondent No.3 it appears that he has encroached upon the Government land and that is the reason why the notice has been issued and if it is not the Government land, it is the fact to be verified by the respondent No.3 before proceeding further.
3. Given the said submissions by the counsel for the parties, writ petition at this juncture stands disposed of directing the petitioner to approach before respondent No.3 and to submit all relevant documents to establish his title over the said property and also to establish that it is not a Government land but is a private owned property of the petitioner and respondent No.3 shall take into consideration the submissions so made by the petitioner and shall only thereafter proceed with the impugned notice Annexure P-1.
4. It is expected that respondent No.3 shall duly scrutinize and take into consideration contentions of the petitioner in this regard.
5. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge