

HIGH COURT OF CHHATTISGARH, BILASPUR**WP(C) No. 2362 of 2020**

1. Anandi Ram Nishad S/o Bhikh Ray (Wrongly Mentioned As Bhikh Sai Or Bhikh Ram In The Order Sheets) Kewat Aged About 75 Years R/o Village Rampur (Thathapur), Tahsil Sahaspur Lohara, District Kabirdham Chhattisgarh
---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. The Collector Kawardha, District Kabirdham Chhattisgarh.
3. Vipul Kumar Gupta Sub Divisional Officer (Revenue), Kawardha, District Kabirdham Chhattisgarh.
4. K.R. Vasnik Tahsildar, Tahsil Sahaspur Lohara, District Kabirdham Chhattisgarh.
5. Sandeep Rajput Naib Tahsildar, Tahsil Sahaspur, Lohara, District Kabirdham Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Satyam Shivam Sundram Shukla, Advocate.
For State	:	Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.10.2020**

1. The present writ petition has been filed alleging inaction on the part of the respondent in not properly demarcating the Government land and in the process, the private property of the petitioner is also being shown as the Government property by wrongly entering the same in the Revenue records.
2. Counsel for the petitioner submits that he has been approaching the Revenue Authorities repeatedly but the Revenue Authorities have not properly considered the contention raised by the petitioner so also the Respondent-Authorities are not willing and ready to demarcate the

property which stands in the name of the Government which could resolve the dispute of the petitioner.

3. Considering the nature of dispute that the petitioner has raised, *prima facie*, this Court is of the view that the issues raised by the petitioner are all disputed question of facts which would need recording of evidences for proper determination and which would not be permissible under the writ jurisdiction of this Court. The proper remedy for the same would be by approaching the civil court and preferring a civil suit in this regard.
4. Reserving the right of the petitioner to avail the remedy of civil suit in respect of getting declaration and possession of the property claimed by him to be his private property the writ petition stands disposed off.. However, the representation of the petitioner against the illegal inaction on the part of the respondents that he has made before the Collector may still be considered by the District Collector in accordance with law at the earliest.
5. The writ petition accordingly stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**