

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2673 of 2020**

Lallu Ram Sahu S/o Late Ramu Lal Sahu Aged About 48 Years R/o. Village Birejhar, Tahsil Kurud, Dist. Dhamtari, P.S.- Kurud (Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Home, Mantralaya, Mahanadi Bhawan, Nawa Raipur (Chhattisgarh)
2. Collector Dhamtari, Distt. Dhamtari (Chhattisgarh), District : Dhamtari, Chhattisgarh
3. Superintendent Of Police Dhamtari, Distt. Dhamtari (Chhattisgarh)
4. Police Chowky In-Charge Birejhar Under P.S. Kurud, Dist. Dhamtari (Chhattisgarh)
5. Janki Markandey W/o. Chandan Markandey, R/o. Lakhe Nagar, Raipur (Chhattisgarh),

---**Respondents**

For Petitioner : Shri N. Naha Roy, Advocate.

For Respondent/State : Smt. Richa Shukla, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order**

23/11/2020

Heard.

1. Learned counsel for the petitioner would submit that the petitioner has been granted abadi land on lease at village birejhar for which certain proceeding are pending before the revenue board and the revenue board by its order dated 03/04/2012 (Annexure P-2) has directed to maintain status quo in respect of the land in question. In the meanwhile one of the litigant has sold out his property to the respondent No.5 and the respondent No.5 came to

the house of the petitioner and forcefully tried to evict the petitioner, therefore initially complaint was made to the Naib Tahsildar and subsequently to the Superintendent of Police, however nothing has been adhered, therefore the petitioner may be given police protection.

2. Primarily it appears that already a status quo order dated 03/04/2012 as per Annexure P-2 exists in respect of the subject land in question. If one of the litigant has created third party interest in respect of the property and sold it out, then in such case the sale would be governed by the doctrine of lis pendens. With respect to the report to the police that respondent No.5 has tried to forcefully evict the petitioner, the report has been made to the Superintendent of Police by Annexure P-4 and to the SDO by Annexure P-5, therefore by such action if nothing has transpired, the petitioner has a remedy to file suitable complaint before the competent magistrate and file properly constituted suit before the competent civil court seeking injunction. Because of the fact that respondent No.5 has threatened the petitioner to evict forcefully, the police protection to an individual cannot be ordered for and in such any litigants to a dispute may ask for police protection. If same is granted to individual citizen then probably the State would not be able to protect law & order for public at large. The circumstances must spell out that special & unavoidable circumstances exists which needs special attention by way of police protection.
3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)
Judge