

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2985 of 2020**

1. Sushila Bai W/o Bhikham Aged About 50 Years R/o Khudiya Mungeli District Mungeli Chhattisgarh.
2. Krishan Bai W/o Rama Aged About 67 Years R/o Changori Gobripat , Tehsil Kota, District Bilaspur Chhattisgarh.
3. Puniya Bai W/o Phodulram Aged About 68 Years R/o Sivapara Baisara, Takhatpur Pali District Bilaspur Chhattisgarh. **--- Petitioners**

Versus

1. State of Chhattisgarh Through The Collector, District Bilaspur Chhattisgarh.,
2. The Deputy Registrar Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. The Sub Divisiona Officer Bilaspur , District Bilaspur Chhattisgarh.
4. The Tahsildar Bilaspur , District Bilaspur Chhattisgarh.
5. Vijay Gond S/o Late Mansaram Gond Aged About 60 Years R/o House No. 15258, Ward No. 09, Near Munnu Pan Thela, Gondpara, Tifra , District Bilaspur Chhattisgarh.
6. Rajesh Kumar Bode S/o Late Shri Saryukant Bode Aged About 47 Years Caste Gond (St) , Occupation Business, R/o Through Shri Haridwar Singh Ward No. 01, Dhanpuri, District Shahdol Madhya Pradesh.
7. The Patwari Halka No. 40, Village Tifra, Tehsil And District Bilaspur Chhattisgarh. **--- Respondents**

For the Petitioners	: Mr. Hariom Rai & Mr. Sachin Nidhi, Advocates
For the Respondents	: Mr. Gagan Tiwari, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****04-12-2020**

1. The grievance of the petitioners is that though the land which was in the name of their mother namely Anand Bai, but after her death, respondent No.5 Vijay Gond the brother got his name recorded by omitting the names of petitioners who are sisters of vijay Gond, despite they are having vested right over the land. Subsequently the sale deed was executed by Vijay Gond in

favour of Rajesh Kumar Bode on 19.08.2020. The petitioners though raised objection before the Sub-Registrar to cancel the sale deed, but that was not given heed to and further the petitioners have also made objection before the Tahsildar that has not been looked into.

2. In any case, since there exists a sale deed which was executed in favour of a third party, this Court in exercise of power under Article 226 of the Constitution of India cannot direct for cancellation of sale deed and order for partition and possession.
3. The petitioners shall be at liberty to approach the appropriate forum for grant of such relief and avail the remedy available to them.
4. With the above observation, this writ petitions stands disposed of.

Sd/-

**GOUTAM BHADURI
JUDGE**