

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3038 of 2020

Kanhaiya Lal Patel, S/o. Shri Khushi Ram Patel, Aged About 58 Years,
R/o. Village Pandripani, Block Kharsia, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Food Civil Supplies And Consumer Protection, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
3. Commissioner Cum Director, Food Civil Supplies And Consumer Protection, Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh
4. Collector, District Raigarh Chhattisgarh
5. Sub Divisional Officer (R) Kharsia, Block Kharsia, District Raigarh Chhattisgarh
6. Tahsildar, Tahsil Kharsia, District Raigarh Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Jeet Patel, Advocate
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For State	:	Mr. Amrito Das, Addl. A.G.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.12.2020

Heard

1. The instant petition has been filed for the following reliefs :

“10.1. That, this Hon'ble Court may kindly be pleased to call for the entire records in relates to the case of the petitioner from the possession of the respondents for its kind perusal.

10.2. That, this Hon'ble Court may kindly be pleased to direct the respondent No.6 to make registration/correction of remaining agriculture land measuring area 3.422 hectare of the petitioner for paddy sell in Govt. MSP price.

10.3. That, this Hon'ble Court may kindly be pleased to direct the respondent No.6 to decide the full compliance of petitioner's application dated 07.11.2020.

10.4. That, this Hon'ble Court may kindly be pleased to grant any other relief/ relief's in favour of the petitioner, which the Hon'ble Court deemed fit and just in the facts and circumstances of the case, including awarding the costs to the petitioner."

2. Learned counsel for the petitioner would submit that the petitioner though is holding the land to the extent of 22.591 hectare initially, the area was reduced to 12.2480 hectare wherein the capacity to sell the paddy was notified as 10.5530. He would submit that subsequently the application having been filed to the Tahsildar, the said area was further rectified to 22.2190 hectare and paddy selling capacity is registered as 18.7970 whereby around 3 hectare are being left out. He would further submit that the Tahsildar may be directed to correct the agriculture area to the extent of paddy sown and left out.
3. Perusal of Annexure P-5 would show that the area of the paddy grown over the field are to be authenticated by the Primary Agriculture Society, which in turn is to be supplied to the Patwari and according to it the area is certified and after certification of the Patwari, it would be returned to the Cooperative Society and thereafter the data entry would be made. Therefore, since the primary entry are to be made by the Primary Cooperative Society with respect to the area of land and the paddy grown over it, as per clause 1.5 of the scheme of the State Annexure P-5 dated 13.08.2020, the petitioner may file the necessary application before the Tahsildar and the Tahsildar may decide the same after the verification of the facts.
4. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks