

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWPC No. 3153 of 2020

- Rajkamal Agrawal S/o Omprakash Agrawal Aged About 58 Years R/o Dabhara Road Kharsiya Tahsil Kharsiya District Raigarh Chhattisgarh.

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management , Mahanadi Bhawan, Mantralaya , Atal Nagar New Raipur District Raipur Chhattisgarh
2. Collector Raigarh District Raigarh Chhattisgarh
3. Sub Divisional Officer (R) / Nazul Officer Kharsiya District Raigarh Chhattisgarh
4. Tahsildar Kharsiya District Raigarh Chhattisgarh

---- **Respondents**

For Petitioner	:	Mr. F.S. Khare, Advocate
For State	:	Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam BhaduriOrder on Board**17.12.2020**

1. Heard.
2. The grievance of the petitioner in the present writ petition is that the petitioner is using a land bearing plot No. 445/1 area admeasuring 950 and 570 square feet which is being put to auction by the revenue authorities.
3. Learned counsel for the petitioner submits that the petitioner is a resident of the ward wherein the land is situated and they are using the said land, therefore the respondents be restrained to auction the same.

4. Perused the documents. The documents attached with the writ petition shows that the land on which the right is claimed, is a government land or Nazul Land which has been put to auction. If the petitioner is claiming the elementary right over the certain land then he can avail the remedy available to him under *the Indian Easements Act, 1882*.
5. With the aforesaid direction/ observation, writ petition stands disposed off.

sd/-

(Goutam Bhaduri)

JUDGE

Vishakha