

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4579 of 2019**

Sameer Sharma (Petitioner In Person) S/o Late Rampratap, Aged About 68 Years Retired (State Bank Of India), R/o B-57, Samadhiya Colony, Gwalior (M.P.), 474001, Tel. No. 0751-2431624, Mob.- 9977343478, 7999897035, District : Gwalior, Madhya Pradesh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Naib Tahsildar, Jamgaon- R, Thasil Patan, District Durg Chhattisgarh.....(Revenue Authorities Of Chhattisgarh State Govt. And Also Under Vicarious Liabilities.), District : Durg, Chhattisgarh
2. Tahsildar Patan, District Durg Chhattisgarh.....(Revenue Authorities Of Chhattisgarh State Govt. And Also Under Vicarious Liabilities.), District : Durg, Chhattisgarh
3. Sub Divisional Officer (Sdo) Revenue, Patan, District Durg Chhattisgarh.....(Revenue Authorities Of Chhattisgarh State Govt. And Also Under Vicarious Liabilities.), District : Durg, Chhattisgarh
4. Collector District Durg Chhattisgarh.....(Revenue Authorities Of Chhattisgarh State Govt. And Also Under Vicarious Liabilities.), District : Durg, Chhattisgarh
5. Divisional Commissioner Durg Chhattisgarh, Case No. 41/25 Dt. 03-11-2018.....(Revenue Authorities Of Chhattisgarh State Govt. And Also Under Vicarious Liabilities.), District : Durg, Chhattisgarh
6. Bhojram S/o Late Jeevrakhan Gond Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
7. Rambishal S/o Late Itwari Marar, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
8. Ramnihal S/o Late Itwari Marar, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
9. Santosh Rawt S/o Late Rameshwar, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
10. Kumar Verma S/o Late Baran- Jagdhish, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
11. Nakul S/o Late Pasu Gond, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh

12. Devehand Dhimar S/o Late Mansha, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
13. Pawan Dhimer S/o Mansha, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
14. Thanchand S/o Ramnihal Marar, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
15. Lekhraj S/o Rambishal Marar, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
16. Radhe Dhimar S/o Late Khorbahara, Gram Marra, Thsil Patan, Durg Chhattisgarh.....(Bahubali Encroachers), District : Durg, Chhattisgarh
17. Arun Kumar Mishra S/o Late Rambhorasa Mishra, Village Marra, Thsil Patan, Durg Chhattisgarh.....(Instigator/abator Of Encroacher), District : Durg, Chhattisgarh
18. Mohanlal Mishra S/o Late Rambhorasa Mishra, Raipura, Mahadev Ghat Lilly Talkies Ke Samne, 3rd Gali, Satyam Vihar, Behind Bijli Office, Alok Pandey Dairy Ke Pas Raipur Chhattisgarh., District : Raipur, Chhattisgarh
19. Ashutosh Sharma S/o B.N. Sharma, 259 Aam Bagicha, Sunder Nagar, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
20. Usha Pathak W/o Vinod Pathak 240 Mohan Nagar, Durg Chhattisgarh, District : Durg, Chhattisgarh
21. Bina Diwan W/o Late Omnkar Diwan 13-B Maitri Bihar, Radhika Mandir, Supela- Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
22. Chandra Mukhi Tiwari W/o Prakash Tiwari, 306-B Gas Godown Ke Samne, Rohnipuram- Dagnia, Raipur Chhattisgarh.....(Instigator/abator Of Encroacher), District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sameer Sharma, Petitioner in person
For State	:	Mr. Ashutosh Mishra, PL

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/01/2020

1. The limited relief that the petitioner has sought for in the present writ petition is for appropriate direction to the respondents No. 2 to 4 to ensure that the order passed by the respondent No.2 so far as

removing the encroachments from the agricultural land of the petitioner and for handing over the possession to the petitioner is concerned, is complied with.

2. Learned State counsel appearing for the State submits that from the record it appears that there are more than a couple of orders passed by the Nayab Tahsildar for removing of the encroachment and for granting of possession to the petitioner so far as his agricultural land is concerned.
3. Given the said facts and circumstances of the case, this Court is of the view that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet, particularly, taking into consideration the age of the petitioner and the fact that there are more than a couple of orders passed by Nayab Tahsildar, Jamgaon-R, Tahsil- Patan, District Durg, directing the respondent No. 1 to 4 ensuring that the order of the Revenue Authority i.e. Nayab Tahsildar stands complied with at the earliest preferably within a period of four months from the date of receipt of copy of this order.
4. It shall be the responsibility of the petitioner to apprise respondent No.1 to 4 so far as order passed by this Court is concerned.
5. The order has to be complied, unless the order of the Nayab Tahsildar has been challenged by any of the private respondent before any competent Court of law.
6. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge