

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 109 of 2020

1. Amrit Lal, S/o Late Ghasi Ram, Aged About 53 Years, R/o Village Jhabar, P.H. No. 29, Tahsil-Katghora, District : Korba, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department of Revenue, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. The Collector, Korba, District : Korba, Chhattisgarh
3. Sub Divisional Officer (Revenue) Katghora, District : Korba, Chhattisgarh
4. Tahsildar, Deepka, Tahsil Katghora, District : Korba, Chhattisgarh
5. Chief General Manager, South Eastern Coalfield Limited, Deepka Area, Post Pragati Nagar, District : Korba, Chhattisgarh
6. Senior Manager, Mining / Land Revenue, Deepka Area, Post Pragati Nagar, District : Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Basant Kaiwartya, Advocate
For State	:	Mr. Jitendra Pali, Dy. Advocate Gen.
For Resp. No.5 & 6	:	Mr. V.R. Tiwari, Add. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

13.01.2020

1. The State counsel accepts notice on behalf of Respondent No. 1 to 4.
2. Shri V. R. Tiwari, empanelled advocate present in the Court is directed to accept notice on behalf of Respondent No. 5 and 6.
3. Also heard on I.A. No. 01/2019, which is an application for grant of

interim relief.

4. The counsel for the petitioner submits that the dispute in the present case is in respect of the balance of land belonging to the petitioner after acquisition proceedings were drawn by the respondents. The contention of the counsel for the petitioner is that though the land measuring 0.27 and 0.12 acres has been left out but the respondent authorities have already without following any due process of law entered into the aforesaid land and have erected pillars and have started leveling of the land.
5. Given the aforesaid facts and circumstances of the case, this Court is of the opinion that considering the fact that, the dispute involves only in respect of the balance of land, after the acquisition proceeding were drawn, this Court is of the opinion that the dispute in the present petition itself can be disposed off directing the Respondent No. 3 and 4 to first demarcate the portion of land which has been left out from the acquisition proceeding and meanwhile so far as the left over land belonging to the petitioner is concerned, the respondents would not carry out any construction or development activity.
6. Let the Respondent No. 3 and 4 complete the demarcation proceedings at the earliest, preferably within a period of 60 days.
7. The writ petition accordingly stands disposed off.

**Sd/-
(P. Sam Koshy)
Judge**