

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 603 of 2021

Rupanand Soi S/o Shri Gourang Aged About 45 Years Caste Kolta R/o Village Matidarha, At Present Tappa Sevaiya, Revenue Circle Sankra, Tahsil Pithora, District Mahasamund Chhattisgarh.
--- **Petitioner**

Versus

1. State of Chhattisgarh through Its Secretary, Department of Revenue Mantralaya, Mahanadi Bhavan, Naya Raipur , Raipur , District : Raipur, Chhattisgarh
2. Collector Mahasamund , District Mahasamund Chhattisgarh.
3. Sub Divisional Officer (Revenue) Pithora District Mahasamund Chhattisgarh.
4. Mu. Tejkumari W/o Dharamdev Kolta Resident of Village Matidarha, Tahsil Pithora, District Mahasamund Chhattisgarh.
5. B.R. Sahu The Then Naib Tahsildar, Pithora, District Mahasamund Chhattisgarh.
6. Neelambar Pradhan The Then Patwari Halka No. 45, Revenue Circle Sankra, District Mahasamund Chhattisgarh.
7. Madhusudan S/o Kishorlal Sahu Resident of Village Matidarha, Tahsil Pithora, District Mahasamund Chhattisgarh.
--- **Respondents**

For the applicant	: Mr. K.P.S. Gandhi Mr. Sudhir Sahu, Adv.
For the State	: Mrs. Richa Shukla, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.02.2021

1. Learned counsel for the petitioner submits that respondent no.4 has obtained compensation in respect of the land, which did not belong to him and actually it was a government land which is settled by the order of Collector dated 31.03.2014 (Annexure P-2). Therefore, the official respondents may be directed to conduct a thorough investigation and order for departmental enquiry against the erring officers.

2. It appears from the nature of complaint it is alleged that respondent no.4 by committing fraud has obtained the amount of compensation of a land of which he was not the owner, and the revenue officers have supported such act in furtherance of execution of the fraud. The nature of the allegation certainly would need a detailed evidence and investigation. Therefore, this Court in exercise of power under Article 226 of the Constitution of India will not go in for a roving enquiry to find out the facts. The petitioner, if so aggrieved, may avail the remedy under the common law.
3. With the above observation, this writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**