

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1183 of 2021

Mahesh Ram, S/o. Shri Ram Lal, Aged About 59 Years, Caste- Gada, R/o. Village- Bhadara (Baheradih), Village- Panchayat- Shivani, Tahsil- Champa, Civil And Revenue District- Janjgir-Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Revenue, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur, Chhattisgarh.
2. The Collector, Janjgir, Civil And Revenue District- Janjgir-Champa, Chhattisgarh.
3. The Tahsildar Champa, Civil And Revenue District- Janjgir-Champa, Chhattisgarh.

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For Petitioner	:	Mr. Parasmani Shriwas, Advocate
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For State	:	Mr. Gagan Tiwari, Dy. Govt. Advocate
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.03.2021

Heard

1. Learned counsel for the petitioner would submit that the petitioner is in occupation of the land bearing Khasra No.1610/1 for last 15 years at village Shivani Bhadara Khar, Tahsil Champa, District Janjgir-Champa and has built his house and residing therein. He further submits that recently the Gauthan was decided to be built in the place where the petitioner is in occupation and since there are other places available nearby the petitioner and other villagers and the Gram Panchayat passed a resolution to give it to the respondent No.3, the Tahsildar, Champa to change the proposed land for Gauthan and in turn grant lease to the petitioner. He would submit there are enough suitable other places in the village wherein the Gauthan can be constructed and the State authority would consider the construction of Gauthan in a different open place which is available in the village.

2. Learned State counsel would submit that the petitioner if made a representation to the Collector/ Tahsildar that may be considered in facts of this case.
3. Considering the grievance of the petitioner, it is directed that on application being filed to the Collector, Jangir-Champa, within a further period of three weeks, the said application shall be considered which includes exploring the possibility of shifting Gauthan to a different place available in the village other than which is occupied by the petitioner. The said decision may be arrived at as early as possible.
4. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Aks