

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1100 of 2021**

- Smt. Derhin Bai W/o Late Shri Chaitram Aged About 51 Years Caste- Binjwar, R/o Village- Bhaanpur, P.H. No.- 55, Ra.Ni.Man.- Khallari, Tehsil- Baghbahara, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through Secretary Revenue And Disaster Management Department, Mahanadi Bhawan, Naya Raipur, District- Raipur, Chhattisgarh.
3. Collector Mahasamund District- Mahasamund, Chhattisgarh.
4. Tehsildar Baghbahara District- Mahasamund, Chhattisgarh.
5. Sarva Adivasi Samaj (Area Baghbahara) Through Its President, Shri Phool Singh Dhruv, Tehsil- Baghbahara, District- Mahasamund, Chhattisgarh.
6. Sub-Divisional Officer (Revenue) Baghbahara, Tahsil- Baghbahara, District- Mahasamund, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Surfaraj Khan, Advocate
For Respondent/ State	:	Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****25.02.2021**

Heard

1. Learned counsel for the petitioner would submit that the Respondent No. 5 was raising construction over the government land and in this regard the petitioner has made complaint to the concerned SDO on the administrative side and thereafter filled an application under

Section 237 read with Section 248 of the C.G. Land Revenue Code before the Collector, Mahasamud and it is the duty of the Collector Mahasamud to immediately enquire into the matter and stop the construction.

2. Perusal of the documents would show that the petitioner had filed an application under Section 237 read with Section 248 of the Land Revenue Code which was received by the dispatch section of the Collectorate on 10.02.2021 and the instant petition has thereafter simultaneously being filed on 15.02.2021. In view of this, since the application is already been filed before the Collector, it would be decided as per law. Further, I do not find any reason to fast track this case as the petitioner after filing the application before the Collector has simultaneously preferred the petition here therefore no substantial delay or non discharge of statutory duty has come to fore to issue a direction at this stage.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti