

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1430 of 2021

1. Rajeev Jain, Aged About 50 Years S/o Chandra Prakash Jain
2. Gaurav Jain, Aged About 48 Years S/o Chandra Prakash Jain

Both R/o B-3, Sector-1, Devendra Nagar Raipur, Tehsil And District Raipur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue Mahanadi Bhawan, Nawa Raipur Chhattisgarh.
2. Collector Durg, District Durg Chhattisgarh
3. Tehsildar Dhamda, District Durg Chhattisgarh.

---- Respondents

For petitioners – Dr. N.K. Shukla, Sr. Advocate with Shri Arjit Tiwari, Advocate.

For State- Shri Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/06/2021

Heard.

1. The relief sought by the petitioner is as under:-

“(i) That the Hon'ble Court may pleased to issue a writ of mandamus issuing direction to the respondents authority to decide the application pending before the respondent No.3 within stipulated period of time and to change the name in revenue records in compliance of the learned first appellate court.

(ii) Cost of the petition may also be granted to the petitioner.

(iii) Any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioner, in the interest of justice.”

2. Learned counsel for the petitioners submits that subsequent to a decree passed in favour of the petitioners an application was filed before the Tehsildar Dhamda, District Durg to mutate the name of the petitioners in respect of certain khasra number in the year 2019. It is submitted that the said application is still pending and the Tehsildar may be directed to decide the application filed by the petitioners within a specific period of time.

3. Perused the document Annexure P-5 wherein the petitioners have filed an application for mutation of the name. Since only limited prayer is made before this

court that the application filed before the Tehsildar may be directed to be decided, respondent No.3, Tehsildar, Dhamda, District Durg is directed to decide the application of the petitioner within a period of four months from the date of receipt of copy of this order. It is further made clear that this Court has not made any observation as to the ownership of the property qua the petitioners and the adjudication would be made by the Tehsildar on the basis of the documents filed before it after hearing the State also.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE