

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPIL No. 24 of 2021**

- Muslim Jamat Committee Through Its Secretary Shri Mo. Rashid Khan S/o Late Mo. Wahid Khan, Aged About 51 Years, R/o Ward No.-5 Nagar Panchayat Sargaon, Tah- Pathriya And District-Mungeli, Chhattisgarh

---- Petitioner**Versus**

1. The Chhattisgarh Wakf Board Through- Its Chief Executive Officer Devendra Nagar Raipur District- Raipur, Chhattisgarh
2. The Sub Divisional Officer Patharia, District-Mungeli Chhattisgarh
3. The Tahsildar Patharia, District-Mungeli Chhattisgarh
4. Narendra Gupta S/o Surajmal Gupta
5. Piyush Gupta S/o Surajmal Gupta

Respondent No. 4 & 5 both office address are Shri Book Dipo Bilaspur, Near Old High Court, District-Bilaspur

---- Respondent

For Petitioner
For Respondent/State

Mr. Badruddin Khan, Advocate
Mr. VR Tiwari, Additional Advocate
General with Mr. Sudeep Agarwal,
Dy. AG

Proceedings through Video Conferencing

DB.: **Hon'ble Mr. Prashant Kumar Mishra, Ag. C.J &**
Hon'ble Mrs. Rajani Dubey, J.

Order on Board by Prashant Kumar Mishra, Ag. C.J.

25/8/2021

1. Heard.
2. The petitioner has filed this PIL seeking a direction to respondents 2 & 3 i.e. the Sub Divisional Officer, Patharia, District Mungeli (CG) and the Tahsildar, Patharia, District Mungeli (CG) to remove the names of respondents 4 & 5 namely Narendra Gupta and Piyush Gupta from the revenue records and further direct respondent No.1 the Chhattisgarh Wakf Board to take necessary action against respondents 4 & 5.
3. The issue brought before this Court pertains to ownership and possession of some land, on which, respondents 4 & 5 are allegedly in possession.
4. The PIL Court cannot decide dispute between individuals in respect of possession over the land. Whether or not respondents 4 & 5 own the land or they have encroached the land can be decided by the jurisdictional Civil Court or any other statutory body in accordance with law.
5. The PIL is not maintainable. It is accordingly dismissed, as not maintainable.

Sd/-**(Prashant Kumar Mishra)**
Acting Chief Justice**Sd/-****(Rajani Dubey)**
Judge