

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) No. 746 of 2021

Chait Ram, S/o. Bhagirathi, Aged About 68 Years, R/o. Village- Bade Dumarपाली, Tahsil- Kharsia, District- Raigarh, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Principal Secretary, Revenue And Disaster Management Department, Mantralay, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. Collector Raigarh, District- Raigarh, Chhattisgarh.
3. Sub Divisional Officer (Revenue) Kharsia, District- Raigarh, Chhattisgarh.
4. Tahsildar, Block Tahsil, District- Raigarh, Chhattisgarh.
5. Manager, Adani Coal Camp Robertson, At Village- Bade Dumarपाली, Tahsil- Kharsia, District- Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Jeet Kumar Patel, Advocate
For State/Respondent No.1 to 4.	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15.02.2021

Heard

1. Grievance of the petitioner is that the petitioner owns an agricultural land bearing Khasra No.427 & 428 at Village Bade Dumarपाली, Kharsia, District Raigarh and it is stated that the respondent No.5 has forcefully without consent of the petitioner has dumped the coal on the land of the petitioner; thereby the petitioner could not have an agriculture over the said land.
2. Learned counsel for the petitioner submits that the Panchnama which is prepared by Annexure P-2 would reveal that the petitioner's land has been rendered useless for agriculture for the act of the respondent No.5 which has also caused massive environmental pollution depriving the petitioner to obtain the agriculture. Under the circumstances, the

petitioner has made an application/ representation to the respondent No.3/ S.D.O. Kharsia on 15.05.2020 but nothing has transpired till date, therefore, the representation of the petitioner may be directed to be decided.

3. Considering the contents of the Panchnama, the petitioner is given the liberty to file a fresh representation to the respondent No.3 / S.D.O. Kharsia within a period of three weeks and if such representation is filed, the respondent No.3 shall consider the same and pass a suitable orders. If corrective measures are required to be taken that shall also be adopted and the same shall be done within 60 days.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Aks

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 130 of 2021**

- Chait Ram S/o Bhagirathi Aged About 68 Years R/o Village Bade Dumarpali, Tahsil Kharsia, District Raigarh Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Principal Secretary, Revenue And Disaster Management Department Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Collector Raigarh District Raigarh Chhattisgarh
3. Sub Divisional Officer (Revenue) Kharsia District Raigarh Chhattisgarh
4. Tahsildar Block Tahsil District Raigarh Chhattisgarh
5. Manager Adani Coal Camp Robertson, At Village Bade Dumarpali, Tahsil Kharsia, District Raigarh Chhattisgarh

---- Respondents

For Petitioner : Shri Jeet Patel, Advocate

For Respondent/ State : Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08.03.2021**

1. Heard on MCC.
2. Learned counsel for the petitioner submits that in the order dated 15.02.2021 by inadvertent mistake kh. No. 458 has been shows as Kh. No. 428 that may be corrected.
3. After perusal of the original record it appears Kh. No. 428 has been wrongly typed. Therefore, it is directed that in the order dated 15.02.2021 passed in WPC No. 746 of 2021 land bearing Kh. No. 428 be read as Kh. No. 458. Rest of the order shall remain same.
4. With the aforesaid observation, the MCC stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge