

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 250 of 2020**

Natthu Lal S/o Late Kejuram Lodhi, Aged About 58 Years R/o. Pahadipara, Gudhiyari, Police Station And Post Gudhiyari, Raipur, District Raipur Chhattisgarh. Through His Power of Attorney Namely Suryaprakash Singh, S/o. Ramkumar Singh, Aged About 37 Years, R/o. Fafadih, Lane No. 1, Raipur, District Raipur Chhattisgarh

---- Appellant**Versus**

1. State of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Atal Nagar, New Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Commissioner, Raipur Division, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Competent Authority Under The Urban Land (Ceiling And Regulation) Act, 1976, Raipur, District Raipur Chhattisgarh

---- Respondents

(Cause-title taken from Case Information System)

For Appellant	: Mr. Manoj Paranjpe, Advocate
For Respondents	: Mr. Gagan Tiwari, Deputy Government Advocate

Hon'ble Shri Arup Kumar Goswami, Chief Justice**Hon'ble Shri N.K. Chandravanshi Judge****Judgment on Board****Per Arup Kumar Goswami, Chief Justice****08.12.2021**

Heard Mr. Manoj Paranjpe, learned counsel for the appellant. Also heard Mr. Gagan Tiwari, learned Deputy Government Advocate appearing for the respondents.

2. This writ appeal is presented against an order dated 12.12.2019 passed by the learned Single Judge in Writ Petition (C) No.4561 of 2019, dismissing the writ petition on the ground of delay and laches.
3. Challenge in the writ petition was to an order dated 08.06.2015 passed by the respondent No.2-Commissioner in Case No.98/A-90C(1)/2015.
4. A ceiling case under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'Ceiling Act, 1976') was registered in the year 1978-79, being Ceiling Case No.1661-A/90-C(1)/1978-79 and in the said ceiling case, land measuring 11781 sq.mtr. was declared to be surplus. It is the case of the appellant that the said land belonged to his grandmother. Consequent upon the Urban Land (Ceiling and Regulation) Repeal Act, 1999 (for short 'Repeal Act, 1999') coming into force, an application dated 14.09.2007 was filed by the appellant under Section 3(2) of the Repeal Act, 1999, which came to be rejected by the competent authority by an order dated 24.05.2013.
5. By the order dated 08.06.2015, the application filed by the appellant under Section 5 of the Limitation Act, 1963 for condonation of delay of 6 months and 25 days in preferring the accompanying appeal to challenge the order dated 24.05.2013 passed by the competent authority, was rejected.
6. The said order of the Commissioner dated 08.06.2015 was assailed by the appellant before the Board of Revenue by filing a revision. The revision was dismissed by an order dated 19.10.2015 holding the same to be not maintainable.

7. The appellant filed a writ petition after two years challenging the said order in Writ Petition (C) No.1856 of 2017. The same was dismissed on withdrawal with a liberty to file afresh by an order dated 11.07.2017.
8. After about two years and five months, the writ petition out of which this appeal arises, was filed by the appellant.
9. Having regard to the sequence of events as noticed above, we find no good ground to interfere with the order of the learned Single Judge and accordingly, the writ appeal is dismissed.

Sd/-

(Arup Kumar Goswami)
Chief Justice

Sd/-

(N. K. Chandravanshi)
Judge