

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1476 of 2021**

- Onkar Awasthi S/o Late Ramkhilawan Awasthi Aged About 55 Years Resident Of Village Sirgitti, Tahsil And District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. Purnima @ Gudiya D/o Late Dev Prasad Aged About 36 Years Resident Of Village Mahmand, Tahsil Bilaspur, District Bilaspur Chhattisgarh
2. Durga @ Ranu D/o Late Dev Prasad Aged About 32 Years Resident Of Sirgitti Ward No. 3, Tahsil Bilaspur, District Bilaspur Chhattisgarh
3. State Of Chhattisgarh Through Collector, Bilaspur, District Bilaspur (Chhattisgarh)
4. Sub Divisional Officer (Revenue) Bilaspur District Bilaspur Chhattisgarh
5. Commissioner Bilaspur Division Bilaspur Chhattisgarh
6. President Board Of Revenue Chhattisgarh, Bilaspur District Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Shri Pushpendra Kumar Patel, Advocate

For Respondents/State : Shri Gagan Tiwari, Dy. GA

Hon'ble Shri Justice Goutam Bhaduri**Order****16/03/2021**

1. Heard.
2. Learned counsel for the petitioner would submit that the Board of Revenue, Bilaspur, wherein the original revision against the order passed by the SDO and the subsequent orders passed by the Collector and the Commissioner are

challenged is pending, wherein the Board of Revenue has ordered for status quo without there being any application. He would further submit that taking advantage of the same, respondents No.1 & 2 have started construction of the boundary wall, therefore, they may be restrained to raise any superstructure.

3. After having considered the submission of the petitioner, since the original issue is sub judice before the Board of Revenue, which involves different finding by the forum on the basis of evidence, the petitioner may move suitable application before the Board of Revenue for appropriate relief, if so advised. The lis being pending before the Board of Revenue, this Court will not exercise any parallel jurisdiction as the Board of Revenue would be the appropriate authority to assess the finding of fact based on series of litigation. In view of this, I am not inclined to entertain this petition and the petitioner shall be at liberty to move the suitable application before the Board of Revenue.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu