

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1765 of 2021

1. Bhupendra Sahu, S/o Shri Bishat Ram Sahu, Aged About 41 Years,
2. Lochan S/o Shri Ramasra Patel, Aged About 60 Years,
3. Thakur Ram S/o Shri Santram Patel, Aged About 35 Years,
4. Puranik S/o Baliram Sahu, Aged About 52 Years,
5. Ramdular S/o Shivprasad Sahu Aged About 62 Years,
6. Parmanand S/o Nihali Sahu Aged About 60 Years,
7. Heeralal Verma S/o Netram Verma Aged About 40 Years,
8. Basant Sahu S/o Kaliram Sahu Aged About 60 Years,
9. Goverdhan Sahu S/o Kartik Ram Sahu Aged About 54 Years,
10. Fattelal Sahu S/o Lalaram Sahu Aged About 42 Years,
11. Bahurram Yadav S/o Sugdev Yadav Aged About 60 Years,
12. Bhekumar S/o Ghasuram Sahu Aged About 33 Years,
13. Deenuram S/o Samaru Sahu Aged About 55 Years,

All the petitioners are R/o Village- Sursabandha, Tahsil- Rajim Block- Fingeshwar, District- Gariyaband, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralay Atal Nagar District - Raipur Chhattisgarh.
2. The Collector Gariyaband, District- Gariyaband, Chhattisgarh.
3. The Sub Divisional Officer(Revenue) Gariyaband, District- Gariyaband, Chhattisgarh.
4. The Tahsilsar, Rajim, District- Gariyaband, Chhattisgarh.
5. The Divisional Engineer, C.S.P.D.C.L Nawapara, Rajim, District- Gariyaband, Chhattisgarh.
6. The Assistant Engineer, C.S.P.D.C.L. Paragaon, Nawapara, Rajim, District- Gariyaband, Chhattisgarh.
7. The Sarpanch Gram Panchayat, Sursabandha, Block- Fingeshwar, Tahsil- Rajim, District- Gariyaband, Chhattisgarh.
8. The President, Gram Sabha Gram Panchayat Sursabandh, Block- Fingeshwar, Tahsil- Rajim, District- Gariyaband, Chhattisgarh.

---- Respondents

For petitioners – Shri Vineet Kumar Pandey, Advocate.

For State/respondents No.1 to 4 – Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

24/03/2021

Heard.

1. Learned counsel for the petitioners would submit that the petitioners were cultivating on certain government land for which the application has been filed for settlement and when there was measure were taken for dispossession, the petitioners have filed WPC No.2630/2020 wherein this Court on 5/11/2020 protected the possession of the petitioners. It is submitted that the petitioners now are not being given temporary electricity connection since it has been informed by the Secretary, Gram Panchayat by Annexure P-4 that they are the encroachers of the government land, therefore they may not be given temporary electricity connection. Under the circumstances, they have made application to the respondent No.5, Divisional Engineer, C.S.P.D.C.L. to grant them temporary electricity connection as on the earlier occasion their right for dispossession have been protected by this court, therefore the Divisional Engineer, C.S.P.D.C.L. may be directed to decide the same and grant temporary electricity connection to carry out the agriculture.

2. Considering the limited prayer, since only prayer has been made to decide the application of the petitioners Annexure P-6 which is addressed to the Divisional Engineer, C.S.P.D.C.L. by letter dated 7/12/2020, subsequent letter 12/01/2021 and 15/02/2021, it is directed to decide the same considering the earlier interim order of the High Court dated 5/11/2020 wherein possession of the petitioners have been protected. The said decision may be taken within a further period of 45 days from the date of receipt of this order.

3. With such observation, the petition stands disposed of. Sd/-

(Goutam Bhaduri)

JUDGE

