

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1810 of 2021

- Jai Lal Chauhan S/o Late Shri Chottulal Chauhan Aged About 55 Years R/o Gram Madanpur Tahsil Kharsia District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Raigarh, District Raigarh Chhattisgarh
2. Sub Divisional Officer, Kharsia District Raigarh Chhattisgarh
3. Public Works Department, Through Sub Divisional Officer, Public Works Department, Raigarh Chhattisgarh

---- Respondents

For Petitioner : Shri Awadh Tripathi, Advocate

For Respondent/ State : Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.03.2021

Heard

1. The grievance of the petitioner is that the petitioner is a Kotwar and he was granted certain service land at village Madanpur, Tahsil Kharsia District Raigarh. It is stated that certain part of the said land has been acquired by PWD for construction of the road, therefore, since the service land has been taken over by the PWD, the petitioner in lieu of the acquired land should be provided some other land so that he is not deprived otherwise than due course of law.
2. Considering the limited prayer and after consideration of the fact that the petitioner is still serving as a Kotwar for which he was granted the service

land out of turn and if the land is acquired for construction of road naturally it would have resulted in reduction of area of service land which was earlier granted. Therefore, the SDO, Kharsiya shall consider the case of the petitioner for grant of service land to the petitioner which the petitioner was holding at earlier point of time before the acquisition of land for the construction of road. The petitioner had made the application to the SDO, therefore the SDO is directed to further consider the case of the petitioner to decide the grant of service land to the petitioner to the extent of which he is deprived within a period of 90 days from the date of receipt of a copy of this order.

3. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti