

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1806 of 2021

1. Smt. Shanti Bai W/o Shri Ghansi Ram Nayak Aged About 66 Years R/o Tikrapara, Near Mannu Chowk, Thana City Kotwali, Tahsil Bilaspur, District Bilaspur Chhattisgarh
2. Smt. Sulochana Chandra W/o Shri Gopeshwar Prasad Chandra Aged About 57 Years R/o Rajeev Vihar, Rajkishor Nagar, Near Durga Mandir, Lingiyadih, Bilaspur,

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Ministry, Mahanadi Bhawan, Atal Nagar, New Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector District Bilaspur, Bilaspur, Chhattisgarh
3. Sub Divisional Officer (Revenue) Bilaspur, District Bilaspur Chhattisgarh
4. Tahsildar Tahsil And District Bilaspur Chhattisgarh
5. Revenue Inspector Revenue Circle Bilaspur (Khamtarai), Tahsil And District Bilaspur Chhattisgarh
6. Patwari Patwari Halka No. 17, Tahsil And District Bilaspur Chhattisgarh
7. Mr. Rajesh Kumar Agrawal S/o Shri Bajrang Lal Agrawal Aged About 52 Years R/o Juni Line, Bilaspur, Tahsil And District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Alok Kumar Dewangan, Advocate
For State	:	Mrs. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.03.2021

1. Heard
2. In the instant writ petition, it is stated that the petitioners had filed initially an application for demarcation of the land on 09.11.2010, wherein the High Court has directed to demarcate the land of the petitioner. In the meanwhile, the demarcation since was not carried out, a Contempt Petition was filed. It is contended that in the meanwhile the land is being mutated in the name of respondent No. 7 and there is all

likelihood that he may sell the land. The issue which has been raised before this Court is purely is a issue to be decided by the competent civil Court. The petitioners, instead of filing a suit, has filed the instant writ petition wherein on presumption no injunction can be granted as the respondent also enjoys the right under Article 3-A of the Constitution of India. The disputed question of fact to be adjudicated by the civil Court in a duly constituted petition. The petitioners are at liberty to file a said suit if so advised. I am not inclined to exercise the power under Article 226 of the Constitution of India.

3. Accordingly, the writ petition stands dismissed.

Sd/-
(Goutam Bhaduri)
Judge