

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 7932 of 2011**

Smt. Varsha Mukharji W/o Shri Akhay Kumar Mukharji Aged About 40 Years R/o Flat No.2 Block C/1 Shriram Towers Vyapara Vihar District Bilaspur CG

---- Petitioner**Versus**

1. The State Of Chhattisgarh, through Collector, Bilaspur , District Bilaspur C.G.
2. Tahsildar, Tahsil Bilha, District Bilaspur C.G.
3. Chief Municipal Officer, Nagar Pancayat, Bodri, District Bilaspur C.G.
4. Revenue Inspector, Tahsild Bilha, District Bilaspur, C.G.
5. Sub Divisional Officer, Bilha, District Bilaspur,C.G.

---- Respondent

For Petitioner/s	:	Mr. MPS Bhatia, Advocate
For Respondents	:	Mr. Aditya Tripathi, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15/12/2021**

1. Present writ petition has been filed primarily assailing Annexure P-8 dated 19.12.2011 whereby the Revenue Inspector, Tehsil Belha, noticed the petitioner asking her to vacate the premises situated at Janpad nayapara. P.H. No.117, Khewat No.421 measuring 35*42, which is in peaceful possession of the petitioner since 1971.
2. According to the petitioner the said property was purchased by way of a registered sale deed on 15.03.1971 and since then the petitioner's family are in peaceful possession on the said land. Meanwhile, abruptly the impugned notice has been issued the respondents have already entered appearance and filed reply today.
3. Mr. MPS Bhatia submits that so far the demand of such property to be handed over to the Shri Ranjit Kaur and Gurmeet Singh, is concerned

those people have already been granted alternative land by the authorities of local administration and as such their grievance have been since redressed. The contention of the petitioner is that now the Gurmeet Singh and Ranjit Kaur both having got their separate property they may not have any further interest in the property of the petitioner which is in peaceful possession of the petitioner from last 50 years.

4. State counsel on the other hand opposing the petition submits that it is a case where under the revenue record the property said to have been shown as Abadi land and therefore the authorities keeping that in view have issued the appropriate notice Annexure P-8 dated 19.12.2021.
5. Be that as it may, considering the fact particularly taking note of Gurmeet Singh and Ranjit Kaur having already been given suitable land, the claim so far as Gurmeet Singh and Ranjit kaur stands redressed and hence the need for issuance of the impugned notice no longer exists.
6. Accordingly, the writ petition in its present form stands disposed of as of now with a direction of restrain to the respondent authorities not to act upon the impugned notice Annexure P-8 dated 19.12.2020 issued by the Revenue Inspector. Leaving open the power and liberty upon the State government to take an appropriate decision as and when required in accordance with provisions of land after giving a fair and reasonable opportunity or hearing to the concerned parties to the dispute including the petitioner. The interim order also as of now stands disposed of in the light of the observations made in the preceding paragraphs.
7. With the above observations/direction, this writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge