

## **HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 2114 of 2021**

- Chandrika Prasad Deshmuk S/o Shri Kejuram Deshmukh Aged About 59 Years R/o Village- Bhedsar, Pt. Halka No. 10, Tahsil And District- Durg, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.
2. The Collector Durg, District- Durg, Chhattisgarh.
3. The Sub- Divisional Office(Revenue) Durg, District- Durg, Chhattisgarh
4. The Sub Divisional Officer Public Work Department, Durg, District- Durg, Chhattisgarh.
5. The Tahsildar Durg, District- Durg, Chhattisgarh.
6. The Revenue Inspector Revenue Circle- Durg-1, Tahsil And District- Durg, Chhattisgarh.
7. The Superintendent Of Police Durg, District- Durg, Chhattisgarh
8. The Station House Officer Police Station- Pulgaon, Durg, Tahsil And District- Durg, Chhattisgarh.
9. Gram Panchayat Bhedsar, Through Its Secretary, Gram Panchayat, Bhedsar, Tahsil And District- Durg, Chhattisgarh.
10. Gokul Goutam S/o Shri Anand Ram Goutam, Aged About 60 Years, R/o Village- Bhedsar, Tahsil And District- Durg, Chhattisgarh.

**---- Respondents**

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For Petitioner : Shri R.S. Patel, Advocate

For Respondent/ State : Shri Siddharth Dubey, Dy. G.A.

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**11.06.2021**

Heard

1. Learned counsel for the petitioner would submit that the petitioner is the owner of the land situated at Bhedsar P.C. 7/10 Tahsil and District Durg bearing khasra No. 653/1 admeasuring 0.040 hectare. He further submits that the petitioner is the owner of the land and a house is constructed over it wherein he is in possession. It is further submitted that construction of certain road has been proposed whereby some part of the property of the petitioner may be enveloped and the petitioner has not consented for any consent sale and as such filled an application to demarcate his part of the land which would be evident from Annexure P-3, dated 08.05.2020 and respective challan was also paid. It is further submitted that the Tahsildar without sufficient reason is not demarcating the land of the petitioner though he is duty bound to do so. He further submits that several complaints were also made to the higher authority however nothing has been transpired.
2. Further, without going into the merits of the case, since at this moment only limited prayer has been made to demarcate the land of the petitioner and Annexure P-3 reflects that demarcation application was filed on 08.05.2020 by the petitioner, therefore under the circumstances, if the application of demarcation is pending the same cannot be kept in abeyance for time immemorial and it has to be decided to its logical end. Accordingly, Tahsildar District Durg (Respondent No. 5) is directed to demarcate the land of the petitioner within a further period of 60 days from the date of receipt of a copy of this order.
3. With the aforesaid observation/ direction, the writ petition stands disposed off.

**Sd/-**  
**(Goutam Bhaduri)**  
**Judge**

Jyoti