

HIGH COURT OF CHHATTISGARH, BILASPURWPC No. 2003 of 2021

1. Shiv Kumar S/o Late Chatur Singh, Aged About 75 Years R/o - Village Barbhanwar Tahsil Bodla District Kabirdham Chhattisgarh
2. Ambika Singh S/o Late Chatur Singh, Aged About 50 Years R/o Village Barbhanwar Tahsil Bodla District Kabirdham Chhattisgarh
3. Sundar Bai W/o Late Dakor Singh, Aged About 85 Years R/o Village Barbhanwar Tahsil Bodla District Kabirdham Chhattisgarh
---- **Petitioners**

Versus

1. State of Chhattisgarh through Secretary Department of Revenue and Disaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar New Raipur District Raipur Chhattisgarh.
2. Collector, Kabirdham District-Kabirdham Chhattisgarh
3. Sub Divisional Officer (R) Bodla District Kabirdham Chhattisgarh
4. Tahsildar, Bodla District Kabirdham Chhattisgarh
5. Executive Engineer, Public Works Department, Division Kabirdham District Kabirdham Chhattisgarh
--- **Respondents**

For the Petitioners	: Mr. F.S. Khare, Advocate
For the State	: Mr. Siddharth Dubey, Govt. Advocate

Hon'ble Shri Justice Goutam BhaduriOrder on Board08.06.2021

1. The grievance of the petitioners is that their lands were acquired for construction of road, however, when the petitioners made application on payment of challan attached to Annexure P-2 on 26.2.2021, the same has been virtually refused by the Tahsildar, for which, the complaint

was made to the Collector vide annexure P-3. Learned Counsel submits that the Tahsildar is duty bound u/s 129 of the Land Revenue Code to carry out the demarcation in case the application is filed. He submits that the petitioners are still owners of the said lands.

2. A perusal of the documents shows that the petitioners have made an application for demarcation of the land. If certain applications of the like nature is filed to substantiate the fact about dispossession, the Tahsildar is duty bound to carry out the demarcation for the reason that if the lands is acquired for construction of road, then it would entitle the petitioners for further compensation as no one can be deprived of his rights otherwise in due course of law.
3. Since it has been stated that the Tahsildar has virtually refused to take the application, under the circumstances, it is directed that in case the petitioners file fresh application within a further period of 3 weeks, the Tahsildar would carry out the demarcation of the land of the petitioners within a further period of 60 days from the date of receipt of application.
4. With the above observation, this writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**