

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2482 of 2021

1. Mohan Gupta S/o Late Shri Sarju Sao Aged About 65 Years R/o Ward No. 4, Tahsil Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.
2. Dharendra Kumar Gupta S/o Late Shri Sarju Sao Aged About 41 Years R/o Ward No. 4, Tahsil Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

---- Petitioners

Versus

1. The State Of Chhattisgarh Through The Secretary, Department Of Nazul / Revenue, Mahanadi Bhawan, Naya Raipur.
2. The Collector Of The District Balrampur Ramanujganj Chhattisgarh.
3. The Nazul Officer Ramanujganj District Ramanujganj Chhattisgarh.
4. The C.E.O. Jila Panchayat Balrampur Ramanujganj Chhattisgarh.
5. The Tahsildar Ramanujganj, District Ramanujganj Chhattisgarh.
6. Rupa Gupta Constructions Through The Proprietor Jwala Prasad Gupta R/o Ward No. 4, Tahsil Ramanujganj , District Balrampur Ramanujganj Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Ashok Kumar Shukla, Advocate
For State	:	Mr. Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.06.2021

1. Heard
2. Learned counsel for the petitioner submits that the petitioners, through their predecessor in title, were in occupation of certain Nazul land bearing Plot No. 70/1343/1 and the Kachcha Residential House was also constructed by them. He submits that on 18.09.2006, an ejectment order was passed against the petitioners, however the same has not been complied. All of a sudden, on 31.05.2021, the respondent authorities came there and demolished the said superstructure made by the petitioners. He submits that the petitioner Mohan Gupta has already filed an application before the Nazul Officer Ramanujganj on 04.01.2021 by Annexure P/9. It is submitted

that according to the policy of the State Government, the petitioner was also required to be considered in case he satisfy the requirements, however without considering that, execution has been made. He further submits that therefore the respondent- Nazul Officer Ramanujganj may be directed to decide the application of the petitioner for allotment of the Nazul plot No. 70/1343/1 admeasuring 0.5 decimal according to the policy of the State Government.

3. Learned State counsel do not dispute the fact that the application filed by the petitioner would be decided on its own merit.
4. Considering the fact that the application has already been filed by the petitioner before the Respondent No. 3- Nazul Officer Ramanujganj by Annexure P/9, the Respondent No. 3- Nazul Officer Ramanujganj is directed to decided the application of the petitioner for allotment of the said Nazul land in terms of the policy of the State Government on its own merits within a period of four months from the date of receipt of copy of this order.
5. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge