

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2522 of 2021**

- Smt. Gutiyari Bai, aged about 67 years, W/o Ram Sevak Tegar, Through Power of Attorney, Shri Ram Sevak Tegar, aged about 73 years, S/o Late Shri Kunchi Ram, R/o Main Road, Bhartiya Nagar Bilaspur, Police Station – Civil Lines, Tahsil & District – Bilaspur (C.G.), Mo. No. - 9893524102

---- Petitioner**Versus**

1. State of Chhattisgarh, Through : Secretary, Department of Revenue, Mantralaya, Atal Nagar Raipur, Tahsil & District – Raipur (C.G.)
2. Tahsildar, Sakri, Tahsil – Sakri, District Bilaspur (C.G.)
3. Suresh Kashyap, aged about 45 years, S/o Chandrika Prasad Kashyap, R/o Village – Ameri, Tahsil – Takhatpur, District – Bilaspur (C.G.)

---- Respondents

For Petitioner	:	Shri Ratnesh Kumar Agrawal, Advocate.
For Respondent/State	:	Ms. Richa Shukla, Deputy Government Advocate.

Hon'ble Shri Justice Goutam Bhaduri
Order on Board

25.06.2021

1. The grievance of the Petitioner is that the Petitioner filed an application under Section 250 of the Chhattisgarh Land Revenue Code, 1959 for recovery of the possession against the Respondent No. 3 and after hearing, eventually the order was passed on 24.01.2019 (Annexure P/1) by the Additional Tahsildar, Sakri, District Bilaspur, whereby the Respondent No. 3 was directed to be evicted and the Petitioner was to be put in possession. The said order was challenged before the Sub Divisional Officer (Revenue) Kota, District Bilaspur which was affirmed vide order dated 27.03.2020 (Annexure P/2). Consequently, the ejectment order was to be executed.

2. Learned counsel submit thereafter, the said order though the Tahsildar was bound to execute but only the letters have been written which would be evident from Annexure P/3 notices dated 24.01.2019, 07.02.2019 and 11.07.2019, whereby the execution has been directed to be carried out. Learned counsel submits that a considerable period has lapsed, therefore, the Tehsildar be directed to execute and conclude the proceedings of ejectment within a stipulated time, whereby the Petitioner is to be put in possession.
3. The perusal of the document would show that after the orders have been passed, only the correspondence has been made and the letters have also been sent to the Respondent No. 3 (Suresh Kashyap) against whom the ejectment order exists. The Petitioner appears to be aged about 67 years. It is directed that the Tahsildar, Sakri shall execute the order of ejectment and conclude the execution proceedings within a period of 45 days from the date of receipt of this order. It is made clear that if the Police assistance is required, the State would also provide the Police assistance so that the order dated 24.01.2019 (Annexure P/1) comes to its logical end.
4. The writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge