

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 2726 of 2021

1. Makardhwaj Pradhan, S/o. Gahalo Pradhan, Aged About 68 Years.
2. Kailash Pradhan, S/o. Gahalo Pradhan, Aged About 57 Years.
3. Balram Pradhan, S/o. Makardhawaj Pradhan, Aged About 32 Years.

All are R/o. Village Gohedadar, Gram Panchayat Kolihadevri, Tahsil Basna, District Mahasamund, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue Department Mantralaya, Nava Raipur, Raipur, District Raipur, Chhattisgarh.
2. The Collector Mahasamund, District Mahasamund, Chhattisgarh.
3. The Sub Divisional Officer (Revenue) Saraipali, District Mahasamund, Chhattisgarh.
4. The Tahsildar Basna, District Mahasamund, Chhattisgarh.
5. Gram Panchayat Kolihadevri, Janpad Panchayat Basna, District Mahasamund, Through Its Sarpanch Vijay Bariha, Gram Panchayat Kolihadevri, District Mahasamund, Chhattisgarh.
6. Gram Panchayat Kolihadevri, Janpad Panchayat Basna, District Mahasamund, Through Its Secretary, Gram Panchayat Kolihadevri, Block & Tahsil Basna, District Mahasamund, Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Pushpendra Kumar Patel, Advocate
For State	:	Mr. Ashish Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

07.07.2021

Heard

1. The claim of the petitioners is that the petitioners are in possession of the land bearing Khasra No.153 part of 0.480 hectare. They are in possession since last 75 years and cultivating for their livelihood. Therefore, under the circumstances, the petitioners have made an application way back on 06.03.2021 for grant of lease, however, earlier to that, a resolution was passed by the Gram Panchayat to grant such land, which is in possession of the petitioner, for construction of Gothan. Therefore, the Collector may be directed to decide the application of the petitioners for grant of land, in accordance with law, within a stipulated time.

2. Perusal of the application of the petitioners Annexure P-1 dated 06.03.2021 would show that the petitioners have claimed for settlement of his two acres of land out of 0.480 hectare of Khasra No.153 and they are cultivating the same. Since it has been stated that the petitioners are already in possession of the land for last more than 75 years, the Collector shall decide the application of the petitioners within a further period of three months from the date of receipt of a copy of this order. In the meanwhile, the Gothan may be constructed on the remaining part of land. Till the application of the petitioners is decided, the petitioners shall not be forcefully dispossessed from their land which they were cultivating.
3. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
JUDGE

Aks