

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2789 of 2021**

- Girvar Lal Sagarvanshi S/o Late Bhanwar Singh Aged About 60 Years R/o Village Kutelabhtha, Tahsil And District Durg (Chhattisgarh),

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mahanadi Bhavan Mantralaya, Atal Nagar, Nava Raipur, District Raipur (Chhattisgarh), District : Raipur, Chhattisgarh
2. Collector Durg, District Durg (Chhattisgarh), District : Durg, Chhattisgarh
3. Tahsildar Durg, District Durg (Chhattisgarh), District : Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ajay Thakre, Advocate
For State	:	Mr. Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****13.07.2021**

1. Heard.
2. The grievance of the petitioner in the present writ petition is that the petitioner has constructed certain house over part of land bearing Khasra No. 91/1 at village Kutelabhatha, Tahsil & Distt. Durg (C.G.), however the petitioner has been served with a notice dated 01.06.2021 (Annexure P/3) wherein it is stated that the petitioner is in occupation of the part of the land bearing Khasra No. 97 and has unauthorisedly raised the construction over there therefore the notice has been served and before the said proceeding is concluded, the threat is extended that the house would be demolished.

3. Perusal of the notice dated 01.06.2021 (Annexure P/3) shows that the petitioner has been served with a certain notice and proceeding has been commenced to show that whether his possession over the land in question is legal or not. Since the petitioner claims that he is in possession of the land bearing Khasra No.91/1 and the notice has been served for the land bearing Khasra No. 97, therefore, at this stage, since the proceedings are going on before the Additional Tehsildar Durg, any finding by this Court would be premature. However, considering the fact that since the proceedings are already pending before the Additional Tehsildar Durg, it is directed that the Additional Tehsildar Durg shall not forcefully demolish the house of the petitioner wherein he is residing till the proceedings pursuant to the notice dated 01.06.2021 (Annexure P/3) before the Additional Tehsildar Durg is concluded.
4. With the above direction/observation, this writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)
Judge