

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2772 of 2021

- Smt. Sumitra Bai Chandrakar W/o Late Shri Jagdish Prasad Aged About 84 Years Caste Kurmi, R/o Village Devbaloda (Charoda), Tehsil Patan, District Durg Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector Raipur, District Raipur Chhattisgarh
2. Sub Divisional Officer (R) Raipur, District Raipur Chhattisgarh
3. Tehsildar Raipur, Tehsil And District Raipur Chhattisgarh
4. South Eastern Central Railway (S. E. C. R.) Through Divisional Regional Manager, Raipur, Shrinagar, Raipur, District Raipur Chhattisgarh
5. Bengal Nagpur Railway (B. N. R.) (Subsidiary To South Eastern Railway, Having Its Head Office At Kolkata), Through General Manager/ Officer In Charge, Garden Reach Road, Kolkata, District Kolkata (West Bengal)
6. Dr. Vishal Chandrakar S/o Late Shri Gajanand, Aged About 75 Years Caste Kurmi, R/o Village Devbaloda (Charoda), Tehsil Patan, District Durg Chhattisgarh
7. Dr. Nandlal Chandrakar S/o Late Shri Pyarelal Aged About 75 Years Caste Kurmi, R/o Bade Dau Ka Bada, Tatibandh, Raipur, Tehsil Raipur, District Raipur Chhattisgarh
8. Kewal Chandrakar S/o Late Shri Ganga Prasad Chandrakar Aged About 53 Years R/o Village Aoundhi, Tehsil Patan, District Durg Chhattisgarh

---- Respondents

For Petitioner : Shri Surfaraj Khan, Advocate

For Respondent/ State : Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.07.2021

Heard

1. Learned counsel for the petitioner would submit that the petitioner is a 84 years old, widow and illiterate lady and she owns certain land at Village Kapa (Kalipur) Tehsil Raipur admeasuring 54.37 acres. He would submit that land record shows the name of the family of the petitioner, however it is informed that the computer portal shows name of railways, whereas it was never acquired by the railways at any point of time. He would further submit that under the circumstances, he has filed an application before the Collector under section 32 of the Land Revenue Code, 1959 and the said application is kept in abeyance and is not decided, therefore, the Collector, Raipur may be directed to decide the same so that the petitioner can know the status of the land.
2. Learned State counsel submits that the petitioner should have placed the copy of the computer entry portal which shows the name of the railway other than the name of the petitioner and the family. And in any case, if there is difference between the physical entry of the original records and computer portal, it can always be looked into by the Revenue Authority under section 32 of the Land Revenue Code, 1959.
3. Perused the documents.
4. Considering the age of the petitioner that she is 84 years old lady and she is said to be widow and illiterate, it is not expected that she will have access to the computer and in such case, if the application has been filed by the counsel for the petitioner before the Collector, it requires to be decided to its logical end. Under the circumstances, Collector, Raipur is directed to decide the application of the petitioner under section 32 of the Land Revenue Code within a period of 4 months from the date of receipt of a copy of this order.
5. With the aforesaid observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge