

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2852 of 2021

- Suresh Kumar Jagatramka, S/o Late Shri Banwarilal Jagatramka, Aged About 67 Years R/o Gandhi Chowk, Raigarh, Tahsil And District Raigarh Chhattisgarh. Mob. No. 7987230716

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Collector, Raigarh, District Raigarh Chhattisgarh.
2. Sahayak Aadhikchak, Revenue Record Raigarh, District Raigarh Chhattisgarh.
3. Nazul Adhikari, Raigarh District Raigarh Chattisgarh
4. Revenue Inspector (Sheet No. 44), Raigarh, District Raigarh Chattisgarh.
5. Smt. Pushpa Saraf W/o Prem Kumar Saraf, R/o At Present Station Chowk, Raigarh, District Raigarh Chhattisgarh
6. Spectrum Infonent Pvt. Ltd. Raigarh, Through Director Bharat S/o Vijay Agrawal, R/o Chakradhar Nagar, Raigarh, District Raigarh Chattisgarh.

---- Respondents

Petitioner in person : Shri Suresh Kumar Jagatramka

For Respondent/ State : Shri Aman Kesharwani, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.07.2021

Heard

1. The grievance of the petitioner is that the mother of the petitioner was resident of sheet No. 44 Plot No. 3/1 (New No. 3/1, 3/4 and 3/5) 10705 sq. ft new house No. 38/1 to 38/6 situated at Gandhi chowk, Raigarh. It is

contended that the plot was recorded in the name of late Mrs. Prakashwati Devi Jagatramka, the mother of the petitioner and part of the plot No.3/1 i.e. 3505 sq. ft. has been mutated in the name of Mrs. Puspa Saraf through revenue case No. 48/A-6/1994-95.

2. It is contended that there is no revenue case existing of No. 48/A-6/1994-95, therefore the mutation of the plot in the name of Mrs. Puspa Saraf is based on forged documents. Petitioner would refer to certain documents and submit that when the copy of the said revenue case was sought for it was revealed by the Nazul Officer, Raigarh that the revenue case No. 48/A-6/1994-95 not at all exist in the record room, therefore the name of Pushpa Saraf may be deleted from the revenue record and the name of the petitioner may be re-entered in the said plot No. 3/4.
3. Perused the documents.
4. Perusal of the documents show that the issue which is projected by the petitioner is disputed question of fact which would require evidence and if according to the petitioner certain forgery is committed, it is not within the domain of this Court under Article 226 of the constitution of India to make a roving enquiry. The petitioner may seek relief under the Civil, Criminal or Common law. Primarily, it appears that the dispute is about the ownership of the land which was left over by late Mrs. Prakashwati Devi Jagatramka. In view of such facts which are on record, I am not inclined to exercise the writ jurisdiction under article 226 of the constitution of India.
5. In view of this, the petition sans merit is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti