

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3039 of 2021

Dinmani Chandra S/o Late Bhanu Pratap Singh Chandra Aged About 50 Years R/o Shrikant Verma Marg, Infront Of Sai Darbar, Vinoba Nagar, Bilaspur, District- Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Nawa Raipur Atal Nagar, District - Raipur (Chhattisgarh)
2. Collector Bilaspur, District - Bilaspur (Chhattisgarh)
3. Sub-Divisional Officer (R) Bilaspur, District - Bilaspur (Chhattisgarh)
4. Tahsildar Bilaspur, District - Bilaspur (Chhattisgarh)
5. Municipal Corporation Bilaspur, Through Its Commission, Municipal Corporation, Bilaspur (Chhattisgarh)
6. Raj Kumar Sahu Tahsildar, Bilaspur (Chhattisgarh)
7. Smt. Shakuntala Devi Wd/o Late Vasudev Rao Salunke Aged About 76 Years R/o Vidya Up-Nagar, Bilaspur (Chhattisgarh)
8. Santosh Kumar Salunke S/o Late Vasudev Rao Salunke Aged About 54 Years R/o Vinoba Nagar, Bilaspur (Chhattisgarh)
9. Ashwani Kumar Yadav S/o Haricharan Yadav R/o Vinoba Nagar, Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner - Shri Rajeev Shrivatava, Sr. Advocate with Shri Malay Shrivastava, Advocate.

For State – Shri Rahul Jha, G.A.

For respondent No.5 – Shri Abhyuday Singh, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02/09/2021

Heard.

1. Learned counsel for the petitioner would submit that the petitioner after purchase of the land bearing khasra No.723/194, 723/195 admeasuring 1750 sq.ft. got it diverted and thereafter after obtaining permission from the

Municipal Corporation started construction, however the order dated 15/07/2021 (Annexure P-1) was passed by the Tehsildar without any jurisdiction whereby on an application filed on behalf of a person who had only entered into agreement a stay order was passed. He would submit that the said order is without jurisdiction as the Tehsildar do not have jurisdiction to pass such order.

2. Learned State counsel as per the instruction would submit that in order to pass order Annexure P-1 a revenue case was registered, however after granting the stay since no parties appeared the stay order which was passed on 15/07/2021 has been vacated on 18/08/2021.
3. In view of such submission of the State, since the stay order stands vacated which was under challenge, the petition is disposed of. The petitioner shall be at liberty to approach this court in case in future any cause of action arises.

Sd/-

(Goutam Bhaduri)
Judge