

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3394 of 2021

- Gram Panchayat Bairakh Vikaskhand- Bodla, Tehsil Bodla, District Kabirdham, Through Its Panch- Shyamlal Masrama, Aged About 30 Years, S/o Shri Charan Singh Masram, R/o Ward No. 1, N.H. 12 A, School Para, Bairakh, Vikas Khand Bodla, Tehsil Bodla, District Kabirdham Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary, Urban And Rural Development Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil And District Raipur Chhattisgarh
2. The Collector, Kabirdham, District Kabirdham Chhattisgarh
3. Sub Divisional Officer, Tehsil Bodla, District Kabirdham Chhattisgarh
4. Delhura, S/o Sukalu Rawat, Aged About 52 Years R/o Gram Panchayat, Bairakh, Vikas Khand- Bodla, Tehsil Bodla, District Kabirdham

---- Respondents

For Petitioner : Shri Rajat Agrawal, Advocate

For Respondents/ State : Shri Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.08.2021

Heard.

1. Learned counsel for the petitioner submits that the land bearing Khasra No. 296/1 which is a grass land has been allotted to Respondent No. 5. He refers to Annexure P-2 and would submit that under the order of the Nayab Tahsildar in the year 1988 the grass land was allotted to Respondent No. 5 which could not have been allotted. He further submits that several representation were made however the same has not been taken care off.
2. Perused the documents.
3. Perusal of the documents would show that initially the part of land bearing Khasra No. 296/1 was allotted to Respondent No. 5, the allotment was made in the year 1988 and after more than 30 years, this petition has been filed and that too

directly before the High Court. The authenticity of Anenxure P-2 wherein the petitioner claims that it is a grass land is itself a matter of evidence. Since disputed question of facts are involved and instant petition is hopelessly belated though the petitioner claims at para 7 of the petition that there is no delay in filing the present petition. Consequently, I am not inclined to go into the disputed question of facts at the belated stage.

4. In view of this, the petition is dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti