

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3319 of 2021

- Vishwakarma Nishad S/o Ramnath Nishad Aged About 57 Years Occupation Agriculturist , R/o Village Mudhena, Tahsil And District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary , Department Of Revenue And Disaster Management, Mantralaya , Atal Nagar , Nawa Raipur , District Raipur Chhattisgarh.
2. Collector Mahasamund , District Mahasamund Chhattisgarh.
3. Sub Divisional Officer (Revenue) Mahasamund , District Mahasamund Chhattisgarh.
4. Tahsildar Mahasamund , District Mahasamund Chhattisgarh.
5. Gram Panchayat Mudhena Through Its Sarpanch, Village Mudhena, District Mahasamund Chhattisgarh.

---- Respondents

For Petitioners : Shri Punit Ruparel, Advocate

For Respondents/ State : Shri Siddharth Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.08.2021

Heard.

1. Learned counsel for the petitioner submits that the petitioner was in occupation of land bearing khasra No. 222 admeasuring 1.40 hect and land bearing khasra No. 283 admeasuring 2.40 hect. for last 20 to 25 years. It is contended that the petitioner has initially filed an application for settlement of the said land in his favour, however the same was dismissed by the Collector on 06.10.2009 (Annexure P-2). It is further contended that recently the policy of the State government dated 11.09.2019 (Annexure P-4) has been promulgated wherein the person who are in occupation of the government land are entitled to settle the land in their favour. He further submits that the limited prayer of the petitioner at this

point is that petitioner may be given the liberty to file another fresh application to settle the land in his favour in accordance with the policy of the State government dated 11.09.2019.

2. Perused the documents.
3. Perusal of the documents shows that earlier the application for grant of settlement of the land was rejected by order dated 06.10.2009 and if subsequently certain policy dated 11.09.2019 has been promulgated then in such case the petitioner would always be at liberty to file the application for settlement of the government land, if he is in possession, provided he is covered within the policy. Considering the same, the petitioner is given the liberty to make the necessary application before the concerned authority in terms of the policy dated 11.09.2019. It is further directed that if the same is filed, it should be decided in accordance with the policy which is subsequently set into motion dated 11.09.2019.
4. It is made clear that this Court has not made any observation on the merits of the case. If the application is so filed the interested parties shall be heard including the Gram Panchayat of Village Mudhena and thereafter necessary orders shall be passed in accordance with the policy and the law.
5. With the above direction/observation, this writ petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge