

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3408 of 2021**

- Nanku Ram Sahu S/o Late Sumer Sahu Aged About 87 Years R/o Village Bori, Tahsil Dhmadha, District Durg Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Collector District Durg Chhattisgarh
2. The Additional Tahsildar Dhamdha District Durg Chhattisgarh
3. Sub Divisional Officer (Revenue) Dhamdha District Durg Chhattisgarh.
4. Sawant Ram Nishad S/o Jagdish R/o Village Bori Tahsil Dahmdha District Durg Chhattisgarh.

---- Respondents

For Petitioner : Shri B.P. Singh, Advocate

For Respondents/State : Shri Rahul Jha, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****23/08/2021**

1. Heard.
2. It is contended on behalf of the petitioner that the petitioner belongs to the Below Poverty Line Category and as per the policy of the Government, he is entitled for certain land. It is further contended that the petitioner was cultivating the government land being the BPL category for the last 40 years through predecessors-in-title, however, recently the petitioner has been served with a letter dated 22.07.2021 to vacate the land, therefore, the case of the

petitioner may be considered to allow certain government land to survive.

3. After reading of the Annexure P-1, it appears that already an order is existing for eviction which was carried out on 10.07.2021 and again the petitioner has encroached upon certain land, therefore, this being the revenue proceeding, this Court would not go into those fact as the order already exist for eviction. However, considering the submission made that the petitioner belongs to the BPL category, in such case, the petitioner may approach to the Collector and if the policy of the State so permits, the Collector and the State authorities may consider the application of the petitioner so that he may be allotted certain land for his survival.
4. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu