

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3351 of 2021**

Ganesh Chandravanshi S/o Late Pilau, Aged About 100 Years
 R/o Village Kanjheta Tahsil Pandariya District Kabirdham
 (Chhattisgarh) Through Special Power of Attorney Holder
 Prakash Chandravanshi S/o Purshottam, Aged About 33
 Years, R/o Village Kanjheta Tahsil Pandariya District
 Kabirdham Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary Department of Revenue and Disaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur, District Raipur Chhattisgarh,
2. Collector Kabirdham, District : Kawardha (Kabirdham), Chhattisgarh
3. Sub Divisional Officer (R)/ Pandariya District : Kawardha (Kabirdham), Chhattisgarh
4. Nayab Tahsildar Pandariya, District : Kawardha (Kabirdham), Chhattisgarh
5. Executive Engineer Department of Water Resources, Division Kabirdham District : Kawardha (Kabirdham), Chhattisgarh ---
Respondents

For the Petitioner	:	Mr. F. S. Khare, Advocate.
For the State	:	Mr. Ravi Bhagat, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.08.2021

1. The grievance of the petitioner is that the petitioner is possessing the land at village Kanjheta P.H. No.49 Tahsil Pandariya, District Kabirdham bearing Kh.Nos.144, 160/3, 175/4, 165/7, 162, 166/7, 90/1, 132/2 admeasuring 7.96 hectares. According to him, certain part of land was acquired for construction of irrigation canal. Consequently in order to ascertain the area of the complete land, the

petitioner has filed an application on 29.07.2021 before the Naib Tahsildar Pandariya vide Annexure P-2 but the same has not been taken into account and returned it to the petitioner. Therefore, it is prayed that the Naib Tabsildar may be directed to demarcate the land of the petitioner so that the fact can be ascertained as to whether the land of the petitioner has been used for construction of canal or not.

2. Since the application has been filed on 29.7.2021 for demarcation of the land before the Naib Tahsildar, without going into the merits of the case, respondent no.4 Naib Tahsildar is directed to conclude the demarcation proceeding within a period of 90 days from the date of receipt of the order. Subsequently if it is found that the land of the petitioner is enveloped within the construction of canal, then the proceeding for payment of compensation be drawn in accordance with law as early as possible.
3. With the above observation, this writ petition stands disposed of.

**Sd/-
GOUTAM BHADURI
JUDGE**