

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) No. 3585 of 2021

Smt. Hiradevi Chandra, W/o. Mr. Narmada Prasad Chandra, Aged About 55 Years, R/o. Village Katoud, Tehsil Dabhara, District Janjgir Champa, Chhattisgarh, At Present H.No. AB 1367 /1369 Kaveri Vihar, Jamnipali, Tahsil And District Korba Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur Chhattisgarh.
2. Collector Janjgir Champa, District Janjgir Champa Chhattisgarh.
3. The Tahsildar Dabhara, District Janjgir Champa, Chhattisgarh.
4. Pardeshi, S/o. Mahettar, Aged About 65 Years, R/o. Village Katoud, Tehsil Dabhara, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner : Mr. Tapan Kumar Chandra, Advocate

For State : Mr. Gagan Tiwari, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.09.2021

Heard

1. Learned counsel for the petitioner would submit that an order under Section 250 of the C.G. Land Revenue Code was passed in favour of the petitioner on 25.03.2008 whereby the respondent No.4 was ordered to be ejected from the land bearing Khasra No.742/2 admeasuring 0.30 acre. After that the execution was filed but it was dismissed without any reason only by holding that the execution application is belated. Learned counsel submits that the execution of an order which has not been set aside cannot be said to be belated and there was no exorbitant delay. Subsequently, the application has been filed by the petitioner in the year 2016 again

to execute the earlier order dated 25.03.2008, which is still pending before the Tahsildar, which would be evident from the order sheet dated 20.07.2021.

2. Considering the fact that the earlier order exists in favour of the petitioner dated 25.03.2008 wherein the ejectment order was passed in favour of the petitioner, the same has not been carried out and one execution is still pending. Presently, the order sheet shows that the execution is pending, the last date was on 20.07.2021. Considering the same, it is directed that the Tahsildar Dabhara, District Janjgir-Champa shall conclude the proceeding of execution within 60 days from the date of knowledge of this order.
3. With the aforesaid observation, the petition stands disposed off.

Aks

Sd/-
(Goutam Bhaduri)
Judge