

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3639 of 2021**

- Thanaru Ram Sahu S/o Kondaram Sahu Aged About 68 Years R/o Village Kapasda, P. H. No. 17, Revenue Circle Dharsiwa-1, Tahsil And District Raipur Chhattisgarh Through Power Of Attorney Holder Mahesh Kumar Sahu S/o Shri Thanaru Ram Sahu, Aged About 51 Years R/o Village Kapasda, P. H. No. 17, Revenue Circle Dharsiwa-1, Tahsil And District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Collector Raipur District Raipur Chhattisgarh
3. Sub Divisional Officer (Revenue) Raipur District Raipur Chhattisgarh
4. Additional Tahsildar Dharsiwa, District Raipur Chhattisgarh
5. Bhalchand Baghel Concerned Halka Patwari P. H. No. 17, Revenue Circle Dharsiwa-1, Tahsil And District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri Ajay Shrivastava, Advocate.

For State/Respondents : Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****09.09.2021**

Heard.

1. Learned counsel for the petitioner would submit that a decree was passed in favour of the petitioner in respect of land bearing Khasra No. 198/9 and 198/16 at village Kapasda, Revenue Circle Dharsiwa wherein the petitioner was declared as owner in possession of the said khasra Nos. The judgment and decree is dated 31.03.2018 (Anneuxre P-1). It is contended that the Patwari fraudulently changed the Khasra No. 198/9 to khasra No. 198/8 for which the petitioner made a complaint to the Nayab Tahsildar. The Nayab Tahsildar after verification of the records found that the Patwari has illegally

by interpolating the revenue records and map has changed khasra No. 198/9 to khasra No. 198/8 and therefore khasra No. 198/9 to which the right of the petitioner belongs was omitted. It is further submitted that the order of the Nayab Tahsildar was affirmed by the SDO and further sent to the Collector. It is submitted that the Collector has not taken any action, therefore, the Collector may be directed to take action on the recommendation of the Nayab Tahsildar and the SDO.

2. Perused the documents.
3. Perusal of the documents would show that the decree exist in favour of the petitioner and khasra No. 198/9 belong to the petitioner is not disputed. The order of the Nayab Tahsildar categorically records that the then Patwari had changed the Khasra No. 198/9 to Khasra No. 198/8 as the boundaries of khasra No. 198/9 matched with the changed number by interpolation in the map. The said order was further affirmed by the SDO by order dated 04.03.2021 (Annexure P-3) and certain recommendation was made. Considering the order passed by the two revenue authorities, it is directed that the higher revenue authorities to whom the recommendation is made i.e. the Collector/ Addl. Collector shall conclude the proceedings of whatever nature it may be, after hearing the respective Patwari against whom the finding is recorded and shall order accordingly. It is further directed that the said proceedings shall be completed within a outer limit of 4 months from the date of receipt of a copy of this order.
4. With the aforesaid observation, the petition stand disposed of.

Sd/-
(Goutam Bhaduri)
JUDGE