

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3752 of 2021**

Devlal Ande S/o Nand Kumar Ande Aged About 40 Years R/o Village Choubey Bandha, P. H. No. 28, Tahsil Rajim, District Gariyaband Chhattisgarh
--- Petitioner

Versus

1. State of Chhattisgarh through the Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. The Collector Gariyaband District Gariyaband Chhattisgarh
3. Sub Divisional Officer (Revenue) Gariyaband District Gariyaband Chhattisgarh
4. Tahsildar Tahsil Rajim, District Gariyaband Chhattisgarh
5. The Gram Panchayat Choubey Bandha through its Secretary, Gram Panchayat Choubey, Tahsil Rajim, District Gariyaband Chhattisgarh
---- Respondents

For the Petitioner	: Mr. P.K. Patel, Advocate.
For the State-Respondents	: Mr. Aditya Bharadwaj, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.09.2021

1. Learned counsel for the petitioner submits that the petitioner was granted a service land bearing Kh.No.23 admeasuring 4.06 hectares by the Government. Subsequently the said land was taken over for organizing a religious Mela to celebrate the festival of Rajim Manghi Punni by the State. Thereafter, in lieu of the service land the petitioner has applied for grant of a part of land bearing Kh.No.591, out of which, 4 hectares was sought for allotment. The said application having been filed, it was processed and the Tahsildar and Gram Panchayat also endorsed the same and

after publication of notice, no objection was received, therefore, the limited prayer is made that the Collector Gariaband may be directed to decide the application of the petitioner within a stipulated time.

2. Prima facie it shows that the petitioner was granted a service land which later-on was taken over by the Government and thereafter the petitioner applied before the Revenue Authorities, for which, *No objection* was sought before the Naib Tahsildar and Tahsildar. The *No Objection* was received. The Gram Panchayat has also endorsed to grant the land. The concerned Patwari also accorded the permission to grant the lease. The earlier order sheet of the Collector Gariaband shows that the earlier land which was in hold of the petitioner was taken over for organizing a Mela to celebrate the Rajim Manghi Punni. Therefore, if such an application has been filed to grant the land in lieu of the earlier land taken over by the State, which was in his hold, the same needs to be considered. Accordingly, the Collector Gariaband, respondent no.2 herein, is directed to decide the application to grant the land which has been proposed by the Tahsildar and the Patwari, within a period of 3 months.
3. With the above observation, this writ petition stands finally disposed off.

Sd/-

GOUTAM BHADURI
JUDGE