

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 2732 of 2020

Shrikant Agrawal, S/o. Late Om Prakash Agrawal, aged about 42 years, R/o. Near Oswal Bhawan, New Sabji Mandi Manendragarh, District Koriya Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through : Its Secretary, Department of Revenue and Disaster Management, Mahanadi Bhavan, Village Rakhi, New Raipur, District Raipur Chhattisgarh.
 2. The Collector District Koriya Baikunthpur Chhattisgarh.
 3. Sub Divisional Officer Manendragarh, District Koriya Chhattisgarh.
 4. Tahsildar Manendragarh, District Koriya Chhattisgarh.
 5. Nazul Tahsildar Manendragarh, District Koriya.
 6. Shahid Ali, S/o. Late Manuvar Ali,
 7. Tasuvar Ali, S/o. Manuvar Ali,
- No.6 and 7 Both are R/o Ward No. 6, Manendragarh District Koriya Chhattisgarh.

---- Respondents

For Petitioner	: Mr. Parag Kotecha, Advocate
For State-Respondents	: Mr. Chandresh Shrivastava, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

30/11/2021

1. It is submitted that the respondent No.4 had initiated proceeding in case No.9A-68 of 2010-11 on 03.09.2011, on which a eviction notice was issued to the respondent No.6 and 7 on 24.09.2011. That proceeding has not been completed so far. The encroachments made by the respondent No.6 and 7 has not been removed till date and the present development and the respondent No.6 and 7 started encroaching upon the land of the petitioner. The petitioner has made representation vide Annexure P-2 dated 25.06.2020, which has been

received in the office of the respondent No.2 but no action has been taken on the same. Therefore, appropriate orders be passed.

2. Learned State counsel opposes the submissions and submits that the proceeding is already initiated against the respondent No.6 and 7 by the respondent No.4 apart from this other revenue case is also pending against the respondents No.6 and 7 regarding encroachment upon the government lands. Therefore, there is no requirement of issuance of direction.
3. Considered on the submissions and the documents placed on record. This petition is disposed off at motion stage. The petitioner is granted liberty to file fresh representation, before the respondent No.2 regarding his complaint against the respondent No. 6 and 7 within a period of 15 days from today in case such a representation is filed then the respondent No.2 is directed to consider on the same and take decision at the earliest within a period of 60 days. Respondent No.4 is also directed to conclude the proceeding in the case No.9A-68 of 2010-11 at the earliest.
4. Accordingly, with these observations, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge