

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 4033 of 2021**

Bhimeshwar Rajwade S/o Late Homshankar, Aged About 54 Years
R/o Village Kanki, PS Urga, Tahsil Kartala, District Korba
Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Revenue and Disaster Management, Mahanadi Mantralaya, Nawa Raipur, Post Office and Police Station Nawa Raipur, District Raipur Chhattisgarh.,
2. Collector, Korba, District Korba (Chhattisgarh).
3. Naib Tahsildar, Barpali, Tahsil Kartala, District Korba Chhattisgarh.

---- Respondents

For the Petitioner : Mr. Satish Gupta and Mr. Suresh Tandon,
Advocates.

For the Respondents : Mr. Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****01.10.2021**

Heard.

1. Learned counsel for the petitioners would submit that as per Annexure P-1 an order was passed by the Naib Tahsildar in exercise of powers under Section 250 of the Land Revenue Code where the vacant possession of the subject land was directed to be handed over to the petitioner by evicting the encroachers. He would submit that the said order was passed in the year 2016. Subsequently though correspondence was made by the office of Respondent no.3 i.e., Naib Tahsildar with the respondent authorities but the same is not being considered which would be evident from Annexure P-3. Consequently, the petitioner has at last filed representations to the Naib Tahsildar (Annexure P-4) and would submit that the said

representations may be directed to be decided within a stipulated period.

2. Considering the fact that the order was passed in favour of the petitioner u/s 250 of the L.R. Code in the year 2016 and thereafter certain correspondence appears to have been made between the Revenue Officers wherein the Revenue Inspector was directed to hand over the vacant possession of the land to the petitioner, however, it appears that it has not yet been executed and lastly the applications have been filed by the petitioner on 13.08.2021 and 06.09.2021 to the Naib Tahsildar Korba to execute the initial order passed on 14.09.2021.
3. Considering the facts situation of the case, without any observation on merits of the case, at this stage since considerable time has passed, the Naib Tahsildar, Barpali, Tahsil Kartala, Distt. Korba (Respondent no.3) is directed to decide the applications preferred by the petitioner as early as possible and if the order of eviction passed u/s 250 of the Land Revenue Code still exists that should be executed as early as possible. With the above observation/ direction, this writ petition stands disposed off.

**Sd/-
GOUTAM BHADURI
JUDGE**