

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WP(C) No. 4601 of 2021**

Ishwar Prasad Dewangan S/o Shri Puniram Dewangan, Aged About 67 Years R/o Village Bhilai, Tahsil Baloda, District Janjgir Champa Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Panchayat And Rural Development, Mantralaya, Rakhi, post and P.S. Rakhi District Raipur Chhattisgarh.
2. Collector Janjgir, District Janjgir Champa Chhattisgarh.
3. Tahsildar Tahsil Baloda, District Janjgir Champa Chhattisgarh.
4. Mahaveer Coal Vashri And Pvt. Ltd. Through Director, Office At Village Bhilai, Tahsil Balauda, District Janjgir Champa Chhattisgarh.

**---- Respondents**

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| For Petitioner              | : Shri Mayank Chandrakar, Advocate. |
| For the respondents / State | : Shri Ravi Bhagat, G.A.            |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**17.11.2021**

Heard.

1. This petition has been brought praying for issuance of a direction.
2. It is submitted that respondent No.4 has encroached upon the land bearing Khasra No.167/1 situated in village Bhilai, Patwari Halka No. 13, District Janjgir-Champa, which is a government land and reserved for nistar of the villagers.
3. The petitioner has earlier made a complaint to the State Authorities on which, no action was taken, then the petitioner filed W.P.(C) No. 2524 of 2020, which has been disposed off on 20.1.2021 with a direction to the State Authorities to demarcate the land in question and take action accordingly.

4. The petitioner on the basis of a direction of this Court filed an application on 27.2.2021 praying for compliance of the order of this Court passed in W.P.(C) No. 2524 of 2020. Because of the non-compliance of that order, the petitioner then filed a Contempt Petition No. 712 of 2021, which has been disposed off by order dated 15.9.2021. Hence, this petition and it is prayed that a direction be issued to respondents No.1 to 3.
5. Learned State counsel has no objection if the petition is disposed off with a direction.
6. Considered on the submissions and perused the documents filed alongwith the petition. As there is already a direction present of this Court in the order dated 20.1.2021 in W.P.(C) No. 2524 of 2020 and in compliance of that direction, the petitioner has also filed an application before respondent No.3, but no action has been taken on the same so far. Hence, under these circumstances, the petition is disposed off at motion stage.
7. Respondents No. 2 & 3 are directed to take action on the application filed by the petitioner on 27.2.2021 and comply with the order passed by this Court in W.P.(C) No. 2524 of 2020 at the earliest, preferably, within a period of 90 days from today.
8. With the aforesaid observations, the petition is disposed off.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
Judge