

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4280 of 2021**

- Smt. Chanchal Rani Chandrakar Wd/o Shri Sumit Chandrakar Aged About 34 Years R/o Village Sunsuniya, Tahsil Bagbahara, District Mahasamund Chhattisgarh

---- Petitioner**Versus**

1. Kushal Chand Jain S/o Late Shri Mulchand Shrishrimal Aged About 60 Years R/o Station Road, Mahasamund Tahsil And District Mahasamund Chhattisgarh
 2. Rameshwari W/o Nehrual Chandrakar Aged About 46 Years
 3. Savita W/o Devsharan Chandrakar Aged About 40 Years
 4. Dhaneshwar S/o Gajadhar Chandrakar Aged About 40 Years
- Respondent Nos.2 to 4 are R/o Village Sunsuniya, Tahsil Bagbahara, District Mahasamund Chhattisgarh
5. The Collector Mahasamund District Mahasamund Chhattisgarh
 6. Sub-Divisional Officer (Revenue) Mahasamund District Mahasamund Chhattisgarh
 7. Tahsildar Bagbahara District Mahasamund Chhattisgarh

---- Respondent

For Petitioner	Mr. Punit Ruparel, Advocate
For Respondent /State	Mr. Rahul Jha, Government Advocate

SB.: Hon'ble Mr. Justice Rajendra Chandra Singh Samant**Order On Board****28/10/2021**

1. Heard.
2. It is submitted by learned counsel for the petitioner that respondent No.1 has filed a Civil Suit bearing No.19A/09, which

was dismissed by the trial Court vide order dated 26.2.2010, against which, an appeal was preferred bearing Civil Appeal No.169-A/2011, which was also dismissed on 18.9.2012. The petitioner then moved an application for possession of the property before the Tehsildar, Bagbahra, on which, an order dated 27.2.2020 (Annexure P/3) was passed directing the Revenue Inspector and the Patwari to recover possession of the disputed property from respondent No.1. Respondent No.1 then preferred a revision before the Collector and the Collector by the impugned order dated 25.3.2021 allowed the prayer made by respondent No.1 for grant of interim relief and stayed the recovery of possession initiated by the Tehsildar.

3. Learned counsel for the State opposes the submissions and prays for passing of appropriate orders.
4. After considering the submissions of learned counsel for the parties, the petition is disposed off at motion stage itself. The petitioner would be liberty to file an application for vacating the stay order passed by respondent No.5 and further respondent No.5 is directed to dispose off the revision petition filed by respondent No.1 pending before it, as early as possible, preferably within a period of 60 days.
5. The petition is finally disposed off. Sd/-

(Rajendra Chandra Singh Samant)
Judge

