

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 4294 of 2021

- Laxmi Kant Kushwaha S/o Late Shri Ram Gulab Kushwaha, Aged About 36 Years, R/o Village - Chopan, Tahsil - Bhaiyathan, District - Surajpur (Chhattisgarh), District : Surajpur, Chhattisgarh
- 2. Shashikant Kushwaha S/o Late Shri Ram Gulab Kushwaha, Aged About 50 Years, R/o Village - Chopan, Tahsil - Bhaiyathan, District - Surajpur (Chhattisgarh), District : Surajpur, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh, through the Collector, Surajpur, (Chhattisgarh), District : Surajpur, Chhattisgarh
2. The Sub-Divisional Officer, Tahsil - Bhaiyathan, District - Surajpur (Chhattisgarh), District : Surajpur, Chhattisgarh
3. The Tehsildar, Tahsil - Bhaiyathan, District - Surajpur (Chhattisgarh), District : Surajpur, Chhattisgarh
4. The Sarpanch, Gram Panchayat, Village - Chopan, Tahsil - Bhaiyathan, District - Surajpur (Chhattisgarh), District : Surajpur, Chhattisgarh

---- Respondents

For Petitioners – Shri Sharad Mishra, Advocate.
For State – Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-10-2021

Heard.

1. It is submitted that the petitioners are owners of lands bearing Khasra No.1/4 and 1/3 admeasuring 1.39 hectares and 1.79 hectares, respectively, situated at Village - Chopan, Tehsil - Bhaiyathan, District-Surajpur, (C.G.). Respondent No.4 has marked the lands belonging to the petitioners for construction of Gothan and the construction procedure has been initiated. The petitioners have filed representation before the Tahsildar on 26-11-2020 raising objection on the construction and for issuance of direction to respondent No.4, but the same is pending for decision. Therefore, it is prayed that the petitioners be granted relief.
2. The State counsel representing respondents No.1, 2 and 3 opposes the

submission, however, he submits that appropriate order may be passed.

3. After considering on the submissions and perusing the documents filed along with the petition, the petition is disposed off at motion stage and respondent No.3 is directed to consider on the representation filed by the petitioners within a period of 30 days from today and it is ordered that the construction at whatever stage at present shall remain stayed until the time granted by this Court for consideration on the representation to respondent No.3.

Sd/-

(Rajendra Chandra Singh Samant)
Judge