

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 4449 of 2021

- Smt. Leela Patel W/o Shri R.K. Patel, Aged About 71 Years, R/o Village Bade Gumda, Tah. Gharghoda, District- Raigarh, Civil and Revenue District- Raigrah, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh through Collector Raigarh, District- Raigrah, Chhattisgarh., District : Raigarh, Chhattisgarh
2. The Commissioner, Bilaspur Divisional Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. The Sub Divisional Officer (Revenue) Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
4. The Tahsildar Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
5. Harshwardhan @ Harsh Kumar Patel S/o Late Khriprasad Patel, Aged About 27 Years, R/o Village Bade Gumda, Tahsil Gharghoda, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For Petitioner – Mr. Manoj Kumar Sinha, Advocate.

For State-respondents – Ms. Sameeksha Gupta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-11-2021

Heard.

1. It is submitted by learned counsel for the petitioner that respondent No.5 filed an application praying for correction of the revenue records on 29-02-2012 before respondent No.4 which was allowed by order dated 17-08-2012 without notice to the petitioner. The petitioner then challenged that order before the Court of SDO. The learned SDO, i.e., respondent No.3 while entertaining the appeal granted interim relief to the petitioner. Subsequently, the appeal filed was dismissed by the order dated 26-03-2021. The petitioner has then preferred second appeal before the Commissioner Bilaspur Division which has been entertained and by order dated 29-06-2021 interim relief was granted to the petitioner by staying the effect and operation of the order dated 26-03-2021 passed by the SDO and also the order was passed restraining alienation of the

property in dispute.

2. It is submitted that on the next date of listing, i.e., 19-08-2021 no order was passed for continuation of the interim relief dated 29-06-2021, therefore, the petitioner filed the application praying for continuation of the interim order, but the same has not been considered. Hence, this petition has been filed.

3. The State counsel opposes the submission and submits that the application for continuation of the interim relief has been filed recently, therefore, the case can be disposed off with direction.

4. After considering on the submissions, the instant petition is disposed off at motion stage. Respondent No.2 is directed to consider on the application filed by the petitioner on 19-08-2021 praying for continuation of the interim relief granted by order dated 29-06-2021, within a period of 15 days from today and pass appropriate orders. The interim order granted by the learned Commissioner dated 29-06-2021 shall continue until further 15 days.

Sd/-
(Rajendra Chandra Singh Samant)
Judge