

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 4523 of 2021

Purushottam Sharma, S/o. Late Shri Girjanandan Sharma, aged about 46 years, R/o. Parshuram Chowk, Champa, Tahsil - Champa, District - Janjgir - Champa Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through - The Secretary, Revenue and Disaster Management Department, Mantralaya, Atal Nagar, Nawa Raipur Chhattisgarh
2. The Collector, District - Janjgir - Champa Chhattisgarh.
3. The Sub - Divisional Officer (Revenue), Champa, District - Janjgir - Champa Chhattisgarh.
4. The Tahsildar, Champa, District - Janjgir - Champa Chhattisgarh
5. The Chief Municipal Officer, Municipal Council, Champa, District - Janjgir - Champa Chhattisgarh.

---- Respondents

For Petitioner	: Mr. Ramakant Pandey, Advocate
For Respondents-State	: Mr. Ashish Tiwari, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

12/11/2021

1. It is submitted by the learned counsel for the petitioner that the petitioner is recorded owner of the land bearing Kh. No. 896/1, situated at Parshuram Chowk, Champa, Tahsil – Champa, District – Janjgir-Champa. The petitioner has filed an application for demarcation of the land to respondent No.4 on 02.05.2019 and paid the requisite fees. No action was taken by the respondent No.4, therefore, the petitioner

moved an application, before the respondent No.3 on 24.06.2021 and he has moved another application 16.09.2021, before the respondent No.4 making a statement that his land has been used for construction of road without acquisition of the same, therefore, it is prayed that the respondents be directed to make demarcation of the land of the petitioner at the earliest.

2. Learned State counsel opposes the submissions, however, he submits that this petition may be disposed of with appropriate direction.
3. Considered on the submissions.
4. As it appears that the application filed by the petitioner for demarcation is already pending, before the respondent No.4 on which he has not taken any action so far, therefore, the respondent No.4 is directed to proceed to demarcate the land belonging to the petitioner on the basis of the application filed by him earlier and proceed with the demarcation of the land within a period of 60 days from today. If it is found in the demarcation that land owned by the petitioner has been utilized for construction of road, in that case, respondents No.2 and 3 are directed to do the needful so that the petitioner is compensated as per law for his land utilized in construction of road.
5. With these observation, this petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge