

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP(C) No. 4673 of 2021

Dev Narayan Yadav S/o Shri Ram Jage Yadav (Social Activist), Aged About 47 Years R/o Askala, Tahsil And P.S. Lundra, District Surguja Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur Chhattisgarh
2. The Collector Sarguja (Ambikapur) District Sarguja Chhattisgarh.
3. The Naib Tahsildar Tahsil Lundra Dhourpur, P.S. Lundra, District Sarguja Chhattisgarh.
4. The Executive Engineer (Civil) Civil Division, Chhattisgarh State Power Distribution Company Limited, Raigarh District Raigarh Chhattisgarh.
5. The Sub Divisional Officer (Revenue) Ambikapur Division, District Sarguja Chhattisgarh.

---- Respondents

For Petitioner	: Shri Vikas Pandey, Advocate.
For the respondents / State	: Shri Rahul Jha, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18.11.2021

Heard.

1. It is submitted that by the impugned order (Annexure -P/1) dated 26.10.2020, respondent No.2 has transferred 25 hectares of land bearing Khasra No.2/1 situated in village Askela, District Surguja for the establishment of State Power Transmission Grid to respondent No.4.
2. The petitioner on behalf of the villagers of the vicinity has raised objection on the establishment of power grid on the land in question. The representation was made before respondent No.2 vide Annexure-P/5 on 22.6.2021 but the same has not been considered so far. Hence, it is prayed that a proper direction be issued.

3. Learned State counsel representing for respondents No.1 to 3 & 5 opposes the submissions and submits that the petitioner has remedy to file an appeal as the order that has been passed by respondent No.2 under Section 237(4) of the Land Revenue Code, 1959, is appealable. Hence, the petitioner may be directed to prefer an appeal against the same and the petition be disposed off.
4. Considered on the submissions and perused the documents filed alongwith the petition. The petition is disposed off at motion stage. Respondent No.2 is directed to take a decision on the representation filed by the petitioner in accordance with law as soon as possible, preferably, within a period of 60 days from today. The petitioner is also granted liberty to prefer an appeal against the impugned order, if it is so advised.
5. With the aforesaid observations, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge