

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 4505 of 2021

1. Gopal Roy S/o Shri Bhagyadhar, Aged About 82 Years, Caste Namosudra, R/o Village East Boregaon, Tahsil Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
2. Mukund Roy S/o Shri Bhagyadhar, Aged About 80 Years, Caste - Namosudra, R/o Village East Boregaon, Tahsil Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, Department of Revenue, Ministry, Mahanadi Bhavan, Atal Nagar, New Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Collector Kondagaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
3. Sub Divisional Officer (Revenue) Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh
4. Tahsildar Tahsil Farasgaon, District Kondagaon, Chhattisgarh., District : Kondagaon, Chhattisgarh
5. Shri Sanjay Roy S/o Shri Kalipad Roy, Caste Namosudra, R/o Village East Boregaon, Tahsil Farasgaon, District Kondagaon Chhattisgarh., District : Kondagaon, Chhattisgarh

---- Respondents

For Petitioners – Shri Alok Kumar Dewangan, Advocate.

For State-Respondents – Shri Pawan Kesharwani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

10-11-2021

Heard.

1. It is submitted by learned counsel for the petitioners that the petitioners have in their favour order dated 18-07-2019, passed in Revenue Case No.01/A-70/2018-19 against respondent No.5, directing to evict respondent No.5 from the disputed property and restore possession to the petitioners. Some proceeding was initiated for eviction of respondent No.5 since after passing of the order, but till date the petitioners have not received possession on the disputed property. Therefore, because of inaction of respondent No.4 this petition has been filed.

2. The State counsel opposes the submission and submits that the petition may be disposed off with direction to respondent No.4.

3. Considered on the submissions. Considering that there is order in favour of the petitioners directing eviction of respondent No.5 which was passed under Section 250 of the Chhattisgarh Land Revenue Code, 1959, therefore, the same is required to be executed at the earliest so that the petitioners have the relief which has been ordered by respondent No.4. Hence, for this reason this petition is disposed off at motion stage. Respondent No.4 is directed to take up the proceeding in execution of order dated 18-07-2019 in the revenue case mentioned hereinabove expeditiously and execute the same at the earliest preferably within a period of 45 days.

4. The petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge