

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C.) No.4614 of 2021

1. Ushabai D/o Dattaraiya Rao Dongaonkar Aged About 67 Years R/o 24/588 Tatyapara, Raipur Chhattisgarh, Petitioner
2. Jaishree Bai D/o Dattatraiya Rao Dongaonkar Aged About 70 Years W/o Datatraiya Dewalgaonkar, State Bank Quarter Sunder Nagar Raipur Chhattisgarh, Petitioner
3. Sarita Bai D/o Dattatraiya Rao Dongaonkar Aged About 74 Years R/o Bangalipara, Sarkanda, Bilaspur Chhattisgarh Petitioner
(petitioners through Special Power Of Attorney Holder Shri Kamalkar Kusre S/o Late Shri Balaji Kusre, R/o 24/588 Tatyapara, Raipur Chhattisgarh)

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Collector Bemetara District Bemetara Chhattisgarh
3. Sub Divisional Officer (Revenue) Saja District Bemetara Chhattisgarh
4. The Tahsildar, Berla District; Bemetara Chhattisgarh

---- Respondents

For Petitioners	– Mr. P.R. Patankar, Advocate.
For State/Respondents	– Mr. Ashish Tiwari, Govt. Advocate.

S.B.- Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-11-2021

1. Heard.
2. It is submitted by learned counsel for petitioners that the petitioners are the owners of the land measuring 115.2 acres. The S.D.O. Revenue

Saja, District- Bemetara, passed an order in Appeal No.2179/A-19 (B-3)/1974-75 dated 04.03.2017, in which, he has held that the petitioners are eligible to hold land 157.58 acres and, therefore, the land held by them is not surplus, however, 14.62 acres of the land of the petitioners has been declared surplus for which reason, that has been recorded as grassland in the revenue records. The petitioners then filed an application before respondent No.2 praying to pass order for changing the use of land which has been declared surplus. The application was filed on 10.03.2017 since then, the proceeding on that application is pending without any progress. In the last order dated 12.10.2020 respondent No.2 has called for report and opinion on various points and subsequent to that, no report has been received and the case is pending without any progress. Hence, it is prayed that appropriate direction may be issued for expeditious disposal of the present case.

3. Learned State counsel has no objection with the petition being disposed off with direction.
4. Considered on the submissions and perused the records present in the petition, this petition is disposed off at the motion stage. The respondent No.2 is directed to take up the proceeding in the case No.01A/65 year 2018-19 expeditiously and take decision on the application filed by the petitioner preferably within a period of 90 days from today.
5. With these observations, this petition is disposed off.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge