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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 4882 of 2021**

1. Dayanidhi Dansena D/o Raghunath Dansena, Aged About 24 Years
R/o Village Daubhatli, Tehsil Pusour, District Raigarh, Currently
Residing At Rajpur, Tehsil Kharsia, District Raigarh, Chhattisgarh
2. Dileshwari Dansena D/o Raghunath Dansena, Aged About 26 Years
R/o Village Daubhatli, Tehsil Pusour, District Raigarh Currently
Residing At Rajpur, Tehsil Kharsia, District Raigarh, Chhattisgarh

---- Petitioners**Versus**

1. Additional Commissioner, Bilaspur Division, Bilaspur, Chhattisgarh
2. Bhubneshwar Dansena S/o Hem Prasad Dansena, R/o Village
Daubhatli, Tehsil Pusour, District Raigarh, Chhattisgarh
3. Parmeshwar Dansena S/o Hem Prasad Dansena, R/o Village
Daubhatli, Tehsil Pusour, District Raigarh, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Pankaj Singh, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****08.12.2021**

1. The present writ petition has been filed aggrieved of the ex parte order passed by the Additional Commissioner dated 17.11.2021. Vide the impugned order, in a proceeding under Section 52 of the Land Revenue Code, the Additional Commissioner has granted an ex-parte order in favour of the respondents 2 & 3.
2. The grievance of the petitioners seems to be that before the Court of the Additional Commissioner they were not given proper opportunity

of hearing before the ex-parte order was passed.

3. Be that as it may, taking into consideration the fact that an order has already been passed by the Additional Commissioner and the main matter is still pending consideration and also considering the fact that the nature of order is only an interim order, the appropriate remedy available for the petitioners would be to approach the Court of the Additional Commissioner by moving an appropriate application for vacating stay and also to file an appropriate reply to the proceeding under Section 52 of the Land Revenue Code and thereafter to pursue the matter before the Additional Commissioner on the said application. Subject to the petitioners making an appropriate application in this regard, the Additional Commissioner shall take an appropriate decision on the application, on its own merits, after due consideration of the facts and circumstances of the case, at the earliest.
4. With the aforesaid liberty the writ petition stands disposed of.

**Sd/-
(P. Sam Koshy)
Judge**