

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 4935 of 2021

1. Lav Kumar Pandey S/o Chit Vinod Pandey Aged About 31 Years R/o Samund Chowk, Behind Mata Mandir, Jagdalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh
2. Bhuvan Vijay Pandey S/o Chit Vinod Pandey Aged About 28 Years R/o Samund Chowk, Behind Mata Mandir, Jagdalpur, District- Bastar, Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---Petitioner(s)

Versus

1. State Of Chhattisgarh Through Secretary, Urban Administration Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Jagdalpur, District- Bastar, Chhattisgarh.
3. Sub Divisional Officer Jagdalpur, District- Bastar, Chhattisgarh.
4. Tahsildar Tahsil Jagdalpur, District- Bastar, Chhattisgarh.
5. Shyam Kumar Pandey S/o Late Rahmatullah Aged About 65 Years R/o Mandi Road, Surajpur, District- Surajpur, Chhattisgarh.

---Respondents

For Petitioners	:	Shri CJK Rao, Advocate.
For State	:	Shri Pawan Kesharwani, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.12.2021

1. The grievance of the petitioner seems to be alleged illegal constructions and encroachment being carried out by the respondent No.5 on the government land and in the process the access to the road in front of the petitioners property is getting blocked.
2. Learned counsel for the State submits that the petitioners have alternative statutory remedy available and they may be directed to resort the said remedy.
3. Given the aforesaid facts and circumstances of the case, the writ petition at this juncture stands disposed of permitting the petitioners to approach the respondent No.4 by way of an application seeking for removal of illegal encroachment from the government land and also to ensure that the

petitioners have an easy access to the road in front of their properties. Upon petitioners moving such an application in accordance with law, the respondent No.4 in turn shall consider and decide the same after hearing all the parties in accordance with law at the earliest preferably within a period of 90 days from the date of receipt of copy of this order.

4. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder