

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 5037 of 2021**

Mahendra Pal Padwar S/o Late C. L. Padwar, Aged About 40 Years
R/o Village Lakhanpur, Police Station And Tahsil Lakhanpur, District
Surguja, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department,
Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur, District
Raipur, Chhattisgarh
2. Commissioner, Division Ambikapur, District Surguja, Chhattisgarh
3. Collector, Ambikapur, District Surguja, Chhattisgarh
4. Sub Divisional Officer Revenue, Lakhanpur, District Surguja
Chhattisgarh
5. Tahsildar, Lakhanpur, District Surguja, Chhattisgarh
6. Patwari, Patwari Halka No. 13, Tahsil Lakhanpur, District Surguja
Chhattisgarh
7. Smt. Jindo Bai W/o Late Chamaru, Aged About 65 Years, R/o Village
Lakhanpur, Police Station And Tahsil Lakhanpur, District Surguja
Chhattisgarh
8. Rambali D/o Late Chamaru, Aged About 45 Years, R/o Village
Lakhanpur, Police Station And Tahsil Lakhanpur, District Surguja
Chhattisgarh
9. Rakesh Kumar Rajak S/o Deenbandhu Prasad, Aged About 50 Years
R/o Village Lakhanpur, Police Station And Tahsil Lakhanpur, District
Surguja, Chhattisgarh
10. Alka Pandey, R/o Village Lakhanpur, Police Station And Tahsil
Lakhanpur, District Surguja, Chhattisgarh
11. Vikas Pandey, R/o Village Lakhanpur, Police Station And Tahsil
Lakhanpur, District Surguja, Chhattisgarh

- 12.** Larang Sai Pandey, R/o Village Lakhanpur, Police Station And
Tahsil Lakhanpur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Keshav Prasad Gupta, Advocate
For State	:	Ms. Shriya Mishra, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

09.12.2021

- The present writ petition has been filed seeking for the following relief:
 - This Hon'ble Court may kindly be pleased to direct the respondent no.2 to consider the fact of the above case bearing Case No.4/A-12/2013-14 and the said case has to remand for proper consideration.
- The grievance of petitioner seems to be the unnecessary interference by the State authorities at the behest of the private respondents so far as the peaceful possession of the petitioner is concerned.
- Learned counsel for the petitioner submits that the property is one which was purchased by the father of petitioner situated at Khasra No. 61/2 & 63/2 ad measuring 0.028 & 0.036 hectares respectively and the petitioner is in peaceful possession of the said property since then. However, time and again the State authorities have been interfering the peaceful possession of the said property, at the behest of the private respondents.
- Considering the nature of dispute faced by the petitioner, this Court is of the opinion that the proper recourse available to the petitioner in the given factual matrix would be to approach the concerned Civil Court seeking for an appropriate direction in this regard as the matter

pertains to the title, ownership and possession of the property.
Reserving the right of the petitioner for availing the said remedy, the
present writ petition as of now stands disposed of.

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