

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 5234 of 2021

Smt. Badla Khatoon W/o Md. Afzalul Haque Aged About 59 Years R/o Flat No. 103, Royal Garden Apartment, Indirapuri, B.V. College Patna - 14 (Bihar).

---Petitioner(s)

Versus

1. The State of Chhattisgarh Through Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Collector Bilaspur, District Bilaspur Chhattisgarh.
3. Tahsildar Bilaspur District Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Shri Mazid Ali, Advocate.
For Respondents/State	:	Shri Chandresh Shrivastava, Dy. AG.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

17.12.2021

1. The present writ petition has been filed seeking for the following reliefs:

“10.1. That, this Hon'ble Court may kindly be pleased to direct the respondent authorities specifically respondent No.2 to set free/uplift the ban imposed on the petitioner's land situated at village Lingiyadih, Khasra No.15/249, admeasuring area 2400 sq.ft.

10.2. That, this Hon'ble Court may kindly be pleased to direct the respondent No.2 and its authorities to take an appropriate decision in the pending representation within a stipulated time.”

2. At the outset, this court is reluctant to entertain the writ petition for the reason that the entire property which is reflected in Khasra No.15 at village Lingiyadih, Bilaspur, there is a dispute in respect of the encroachment and selling of the land which was otherwise government land, and the private properties also being sold in small pieces and there is an investigation and enquiry going on in respect of the transaction that have transpired in the said Khasra number.

3. Given the said factual backdrop which is known to everyone, it would be difficult for this court to grant the relief that the petitioner has sought in the present writ petition at this juncture, more particularly when there is already a ban imposed by the District Collector on 07.12.2010 in respect of sale and purchase of any property situated in Khasra No.15.
4. Under the circumstances, reserving the right of the petitioner to approach the competent authority for ventilating his grievances in accordance with law, the writ petition at this juncture stands disposed of.

Sd/-
(P. Sam Koshy)
Judge