

Amar Agrawal And Ors Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: Feb. 20, 2019

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Bulbul Agrawal, Ashish Surana

Final Decision: Disposed Of

Judgement

Prashant Kumar Mishra, J

1. Admittedly, petitioner's revision petition before the Commissioner, Bilaspur Division is pending consideration.

2. The said revision petition has been preferred to challenge the orders passed by the Collector, Raigarh, on 21.01.2019, S.D.O. (Revenue) Lailunga,

dated 27.09.2018, and the order dated 5.10.2018 passed by Tehsildar, Lailunga. Petitioner is also challenging herein the impugned notice dated

5.02.2019 (Annexure P9) issued by Tehsildar Lailunga as also the subsequent notice of the Tehsildar on 14.02.2019 (Annexure P12).

3. It appears during pendency of petitioner's revision petition before the Commissioner, the Tehsildar is proceeding to execute the previous orders

against the petitioner. However, at the same time it is also to be seen that the matter is pending consideration before the Commissioner, therefore,

instead of keeping this petition pending in the High Court ends of justice would be served if the petitioner is directed to move before the Divisional

Commissioner by preferring an application for grant of stay.

4. Let it be done within a period of 10 days from today. Thereafter, the Commissioner shall hear and decide the prayer for grant of stay and if possible

the revision petition itself be considered and decided within a period of eight weeks from today, in accordance with law and on its own merits.

5. It is made clear that during pendency of petitioner's stay application before the Commissioner, the petitioner shall not be dispossessed from the

subject land.

6. Accordingly, the writ petition stands disposed off.