
(2018) 09 CHH CK 0269

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2546 Of 2018

Umend Bai

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 17, 2018

Acts Referred:

- Chhattisgarh Land Revenue Code, 1959 - Section 248

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: S. Dewangan, Shashank Thakur

Final Decision: Dismissed

Judgement

Prashant Kumar Mishra, J

1. Learned counsel for the petitioner would submit that the petitioner's house under the 'Pradhan Mantri Awas Yojana' has been demolished by the

Thasildar, which is illegal and arbitrary.

2. From the documents filed with the writ petition particularly the panchnama at page 34 would indicate that the petitioner and her son raising

construction over the Government forest land entered as Bade Jhad Ka Jungal in the revenue record for which the proceedings under Section 248 of

the Chhattisgarh Land Revenue Code, 1959 (for short 'the CGLRC') has been initiated and final order has been passed directing the petitioner to

remove encroachment.

3. It appears the house was constructed by the petitioner's son namely; Ashok Kumar Kurre against whom orders under Section 248 of the CGLRC

has already been passed by the Tahsildar, therefore, is so advised, petitioner or for that matter her son may prefer an appeal before the competent

Revenue Appellate Court against the order passed by the Tahsildar. If the petitioner complains that her house has been demolished, the document

referred above would clearly indicate that the construction was raised unauthorisedly on the Government forest land, therefore, as far as the petitioner

is concerned, there is no substance in the writ petition complaining that her house constructed under the 'Pradhan Mantri Awas Yojana' has been

demolished.

4. In the result, the writ petition, sans merit is liable to be and is hereby dismissed at the admission stage itself.