

**(2018) 08 CHH CK 0062**

**Chhattisgarh High Court**

**Case No:** Writ Petition (C) No. 2165 Of 2018

M.K. Ahmed

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

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**Date of Decision:** Aug. 1, 2018

**Acts Referred:**

- Chhattisgarh Land Revenue Code, 1959 - Section 44(1)

**Hon'ble Judges:** Sanjay K. Agrawal, J

**Bench:** Single Bench

**Advocate:** H.S. Ahluwalia, R.N. Pusty, Anumeh Shrivastava

**Final Decision:** Dismissed

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**Judgement**

Sanjay K. Agrawal, J

1. Heard.

2. Learned counsel for the petitioner submits that final order has been passed by the Tahsildar, Bilaspur, directing removal of encroachment and such

an order is appealable under Section 44(1) of the Chhattisgarh Land Revenue Code, 1959, before the Sub-Divisional Officer (Revenue) and the

petitioner may be allowed to prefer appeal against that order.

3. Be that as it may, the petitioner is permitted to withdraw this petition and file appeal before the Sub-Divisional Officer (Revenue). If appeal is

preferred by the petitioner by tomorrow, the appeal and the application for stay will be considered and decided by the said authority on the same day,

in accordance with law, as the petitioner is apprehending demolition of the subject premises.

4. With the aforesaid liberty, the petitioner is allowed to withdraw this petition and the writ petition is accordingly, dismissed as withdrawn. No order as to cost(s).

5. Certified copy today.