

(2018) 06 CHH CK 0173

Chhattisgarh High Court

Case No: Writ Petition (C) No. 1475 Of 2018

Chhedilal Agrawal

APPELLANT

Vs

State of Chhattisgarh And Ors

RESPONDENT

Date of Decision: June 27, 2018

Acts Referred:

- Chhattisgarh Land Revenue Code 1959 - Section 50

Hon'ble Judges: P. Sam Koshy, J

Bench: Single Bench

Advocate: Anand Shukla, Shashank Thakur

Final Decision: Dismissed

Judgement

P. Sam Koshy, J

1. The challenge in the present writ petition is to the order dated 04.08.2017 (Annexure P/1) whereby the demarcation report submitted by the

Revenue Inspector has been taken on record.

2. The contention raised by the petitioner is that the respondent No.4 had moved an application for demarcation before the Revenue Inspector and

who has without complying with the due requirement of law submitted the demarcation report and the said report has subsequently been taken on

record by the Tehsildar vide impugned order dated 04.08.2017.

3. On a candid question being put to the petitioner as to which is the property situated adjacent to the property which has been demarcated of which

he is the title holder, he was unable to give satisfactory reply except for the fact that there was some oral agreement between the petitioner and the

respondent No.4 by virtue of which he is in possession of some portion of the land.

4. This court finds it difficult to entertain the writ petition of the petitioner when he has not been able to show any ownership, right or title over any of the property adjacent or at least in the nearby vicinity of the land which has been demarcated by the Revenue Inspector. Moreover, this court is not inclined to entertain this petition on account of availability of statutory alternative remedy under Section 50 of the Chhattisgarh Land Revenue Code whereby remedy of revision is available to the petitioner by approaching the Collector against the impugned order.

5. This court does not find any merit in the petition. The same deserves to be and is hereby dismissed. However, dismissal of this petition would not preclude the petitioner from availing any other civil remedies that he has including any other statutory remedy.