

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No.110 of 2016**

1. Jaikishore Sharma, son of late B.R. Sharma, aged about 78 years, resident of Geedam, Tahsil Dantewada, District Dantewada, Chhattisgarh
2. Ram Singh Nagesh, son of Mangluram Nagesh, aged about 67 years, resident of Main Road, Geedam, in front of Devan Lodge, Tahsil Geedam, District Dantewada, Chhattisgarh
3. Santosh Kumar Jain, son of Vijay Lal Jain, aged about 48 years, resident of Geedam, in front of Devan Lodge, Tahsil Geedam, District Dantewada, Chhattisgarh
4. Lalu Prasad Gupta, son of Jalim Prasad Gupta, aged about 55 years, resident of Geedam, Tahsil and Post Geedam, District Dantewada, Chhattisgarh
5. Laxman, son of Suku Muria, aged about 44 years, resident of Bade Panera, Tahsil Geedam, District Dantewada, Chhattisgarh

---- Petitioners**versus**

1. State of Chhattisgarh through the Secretary, Revenue and Disaster Management Department, Mahanadi Bhawan, New Mantralaya, Raipur, Chhattisgarh
2. The Commissioner, Bastar Division, District Dantewada, Chhattisgarh
3. The Collector-cum-Chairman, Temple Estate, Dantewada, District Dantewada, Chhattisgarh
4. The Sub-Divisional Officer (Revenue) and Secretary, Temple Estate, Dantewada, District Dantewada, Chhattisgarh
5. The Tahsildar and Head of Management Committee, Temple Estate, Dantewada, District Dantewada, Chhattisgarh
6. The Danteshwari Trust, through its Sarwarakar, Dantewada, District Dantewada, Chhattisgarh

---- Respondents

For Petitioners	: Shri Kamlesh Kumar Pandey, Advocate
For State/Respondents No.1 to 5	: Shri Yashwant Singh Thakur, Additional Advocate General
For Respondent No.6/Trust	: None

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay Agrawal

Order on Board**Per Deepak Gupta, Chief Justice****30.11.2016**

1. This writ petition cannot be termed as a public interest litigation. The grievance of the Petitioners is that abadi land in Dantewada has been given to the Danteshwari Trust/Respondent No.6, which is the estate

of the main temple at Dantewada. No doubt, abadi land is public land but the land does not belong to any individual unless the land has been recorded in his name. Other land is basically a public land. We are not going into the merits of the case but we are clearly of the view that this matter cannot be raised as public interest litigation because the land has been transferred to a temple trust and not to any individual person.

2. We, therefore, reject the writ petition (public interest litigation), but reserve liberty in favour of the Petitioners to take appropriate step for redressal of their grievance by filing proceedings either in Revenue Court or by filing a civil suit in Civil Court, if otherwise permissible under the law. In case, the Petitioners file proceedings either before the Revenue Court or before the Civil Court, the same shall be decided expeditiously. It is made clear that we have not expressed any opinion on the merits of the case.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay Agrawal)
JUDGE