

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.331 of 2023

1. Rohit Paik S/o Lachhinandan Paik Aged About 45 Years R/o Village Pilvapani Post Sukhipali Tahsil-Pithaura District Mahasamund Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Department of Revenue Mahanadi Bhawan New Raipur District Raipur Chhattisgarh.
2. The Collector, Mahasamund, District Mahasamund Chhattisgarh.
3. Sub Divisional Officer (Revenue) Pithaura, District Mahasamund Chhattisgarh.
4. The Tahsildar, Pithaura District Mahasamund Chhattisgarh.
5. Assistant Commissioner Tribal Development - Mahasamund District Mahasamund Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Edwin Gardia, Advocate.
For State	:	Ms. Samiksha Gupta, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.01.2023.

1. The grievance of the petitioner seems to be the inaction on the part of the respondents in not considering the request for grant of "Van Adhikar Patta".
2. Perusal of the record would show that in fact the petitioner till date has not approached the authorities by a proper application for issuance of any proper "Van Adhikar Patta". Unless an application is filed, it cannot be expected from the respondents of their own to initiate proceedings in favour of the petitioner.
3. Accordingly, this Court is disposing of the present Writ Petition reserving the right of the petitioner to approach the concerned authorities for issuance of "Van Adhikar Patta" in accordance with the requirement of law. Upon the Petitioner approaching the Respondent No. 2 to 5, the Respondents No. 2 to 5 in-turn shall guide the petitioner regarding the manner in which the petitioner has to approach for grant of Patta, in-stead of outrightly rejecting the same. Upon such

application being made in the required format, the same may be considered by the authorities in accordance with the law governing the field, particularly verifying the entitlement part of the petitioner.

4. Subject to the petitioner moving an application within a period of 7 days before the competent authorities, the competent authorities are expected to take a decision in accordance with law within a further period of 90 days. Meanwhile, for a period of 90 days the respondents shall not initiate any coercive steps so far as demolition of the house constructed by the petitioner at the subject land.

Sd/-
(P. Sam Koshy)
Judge

inder