

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

WPC No. 2907 of 2024

1. Jashraj Singh Rajpurohit S/o Shri Pokarsingh Rajpurohit, Aged About 35 Years
R/o Village Indagaon, Tah. Mainpur, District Gariyaband Chhattisgarh.
2. Rajendra Singh Rajpurohit, S/o Shri Pokarsingh Rajpurohit, Aged About 42 Years
R/o Village Indagaon, Tah. Mainpur, District Gariyaband Chhattisgarh.

---- Petitioners

Versus

1. The State Of Chhattisgarh Through Secretary, Forest Department, Mantralaya,
Mahanadi Bhavan, Atal Nagar, New Raipur, District : Raipur, Chhattisgarh .
2. The Deputy Director, Udanti, Seetanadi, Tiger Reserve, District Gariyaband
Chhattisgarh.
3. The Forest Range Officer, Indagaon, (Dhurwagudi) Bafar, District Gariyaband
Chhattisgarh.
4. The Sub Divisional Officer, (Revenue) Mainpur, District Gariyaband Chhattisgarh.
5. The Tahsildar, Tahsil Office - Mainpur District Gariyaband Chhattisgarh.
6. The Secretary, Gram Panchayat Indagaon, Tahsil Mainpur District Gariyaband
Chhattisgarh

---- Respondents

14.06.2024	Mr. Manoj Kumar Sinha, Advocate for the Petitioner. Mr. D.R. Minj, Government Advocate Respondents No. 1 to 5/State. Heard. Issue notice to the respondents. Mr. D.R. Minj, Government Advocate accepts notice on behalf of the Respondents No. 1 to 5/State. Hence, no process fee is required to be paid for issuance of notice to these respondents. Learned counsel for the respondents prays for and is granted 03 weeks time to file reply. Issue notice to Respondent No. 6 on payment of process fee, as per rules. Notice be made returnable within 03 weeks. Also heard on I.A. No. 01/2024 which is an application for grant of in-

terim relief.

Learned counsel for the petitioner submits that the letter 17.05.2024 (Annexure P/1) for eviction from the land bearing Khasra No. 696, admeasuring 0.35 hectares is issued in violation of principles of natural justice. No show cause notice was issued to the petitioner providing him an opportunity of hearing. He also contended that even the demarcation proceeding conducted on 16.02.2024 was not in presence of the petitioner and he was also not noticed.

Learned counsel for the respondent/State would oppose the submission of the counsel for the petitioner and would submit that the petitioner was in possession of the forest land and it was ascertained by way of demarcation conducted by the forest officials of the Forest Department. He further submitted that he will also file reply to the application for grant of interim relief.

I have heard learned counsel for the parties.

Taking into consideration the facts and circumstances of the case and also, the submission of the counsel for the parties in particular, the submission of the counsel for the petitioner that the letter 17.05.2024 (Annexure P/1) directing the petitioner to evict the land within 01 day from the date of notice and it was issued in violation of principles of natural justice, purely as an interim measure, it is directed that the effect and operation of the impugned letter dated 17.05.2024 (Annexure P/1) shall remain stayed till the next date of hearing.

List this case in the week commencing 28.07.2024.

Sd/-
(Parth Prateem Sahu)
Judge