

Application No. 22/2013(CZ)

B.L. Mishra Vs. Collector, Chhatarpur

QUORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER  
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : Shri Amit Tiwar, Advocate  
Respondent: Shri Sachin K. Verma, Advocate

| Date and Remarks  | Orders of the Tribunal   |
|---|--|
| <p>Item No. 1</p> <p>4<sup>th</sup> September, 2013</p> | <p>No reply has been filed by the respondent even though it is submitted that the Sub Divisional Magistrate, Chhatarpur has been appointed as the Officer Incharge by the Collector, Chhatarpur.</p> <p>The Learned Counsel for the applicant pointed out that the Collector has directed the Sub Divisional Magistrate to inspect and submit a report alongwith two members of the Committee regarding encroachment in the Kishore Sagar Lake and their report is annexed. The report of the Sub Divisional Magistrate dated 14.06.2011 has been placed on record and as per Para 6 thereof, it was found by the Committee which inspected the site that Kishor Sagar Tank / Lake at Chhatarpur was located in Survey No. 3087. It was also found at the time of the inspection that a Sulabh Complex has been constructed by the Municipal Board. One, Mr. Ravi Gupta had also constructed a tinshed and the Municipal Board has constructed 10 shops and Dharmashala in the aforesaid Khasra No. 3087. It was also found that 04 shops have been constructed by one, Jumman Tanay Imam Baksh and an area of 0.093 hectare had been encroached by the aforesaid person. It is also pointed out that within the aforesaid Survey No. 3087, there has been an encroachment of 0.031 hectare where a house has been constructed with fencing and boundary wall. Bhumi Vikas Bank has also raised construction and encroached in the form of a garage. In all, there has been an encroachment of 0.158 hectare in the aforesaid Survey No. 3087.</p> |

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We would like to know from the respondent as to what action the Collector, Chhatarpur, to whom the aforesaid report dated 14.06.2011 was submitted by the Committee headed by the Sub Divisional Magistrate, Chhatarpr has take in the matter. The respondent shall also explain under what provision of law, if any, land comprising of Survey No. 3087 recorded as Kishore Sagar Tank was converted or altered for the aforesaid purposes of raising constructions. The reply be submitted within two weeks failing which the Collector, Chattarpur shall personally appear and explain. Copy of this order be sent to the Collector, Chattarpur for compliance.

The matter is posted on 18.09.2013.

.....JM  
(DALIP SINGH)

.....EM  
(P.S.RAO)

