



2026:CGHC:3763-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 43 of 2026

**1 - Dr. Dushyant Khosla S/o Late Shri H.K. Khosla Aged About 48 Years
R/o Ward No. 01, Near Union Bank Ahirwara Tahsil- Ahirwara District-
Durg (C.G.)**

... Petitioner(s)

versus

**1 - State Of Chhattisgarh Through- The Secretary Home Department
Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh,**

2 - The Collector Durg District- Durg (C.G.)

3 - The Superintendent Of Police District- Durg (C.G.)

**4 - The Station House Officer Police Station Nandini Nagar Durg
District- Durg (C.G.)**

... Respondent(s)

For Petitioner(s) : Mr. Prashant Singh, Advocate

For Respondent(s) : Mr. Priyank Rathi, Govt. Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Justice Ravindra Kumar Agrawal
Order on Board

Per Ramesh Sinha, Chief Justice
22.01.2026

Heard Mr. Prashant Singh, learned counsel for the petitioner.
Also heard Mr. Priyank Rathi, learned Govt. Advocate for the
Respondent/ State.

1. The petitioner has filed the present petition for the following reliefs:

“10.1. That, this Hon’ble Court may kindly be pleased to set aside the impugned order of externment (Jilabadar) Annexure P/1 dated 08.01.2026 passed in Case No. 13/2025, in the interest of justice.

10.2 That, this Hon’ble Court may kindly be pleased to permit the petitioner to reside within District Durg and continue his medical practice till final disposal of the petition.

10.3 That, any other relief/ order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given.”

2. By the present petition, petitioner seeks to challenge the order dated 08.01.2026 (Annexure P1) passed by respondent-2 in Case No. 13/2025 under Section 5(b) of State Security Act, 1990, on the recommendation of respondent No. 3, whereby the petitioner has been externed from District- Durg and adjoining districts for a period of one year.

3. Remedy of filing an appeal is provided under Section 9 of the CG *Rajya Suraksha Adhiniyam*, 1990 (for short, 'Adhiniyam 1990') that a person aggrieved by an order passed under Sections 3, 4, or 5 of the CG State Security Act, 1990 by the District Magistrate, or any other Officer, may file an appeal to the State Government within 30 days from the date of such order.

4. It is necessary to notice Section 9 of the Adhiniyam 1990 here below:

(1)Any person aggrieved by an order under Section 3, 4, 5 or 6 made by the District Magistrate or any other officer specially empowered under Section 13 may appeal to the State Government within thirty days from the date of such order. Such appeal shall be decided as far as possible within a period of four months of the date of filing of the appeal.

(2)An appeal under this section shall be preferred in the form of a memorandum setting forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a certified copy thereof.

(3)On receipt of such appeal, the State Government may after giving a reasonable opportunity to the appellant to be heard either personally or by a legal practitioner and after such further inquiry, if any, as it may deem necessary confirm, vary or rescind the order appealed against :

Provided that the order appealed against shall remain in operation pending the disposal of the appeal, unless the State Government otherwise directs.

(4) In calculating the period of thirty days provided for an appeal under this Section, the time taken for granting a certified copy of the order appealed against shall be excluded.

5. In view of above provision of Section 9 of the Adhiniyam 1990, and the order of the present case, we are not inclined to interfere with the externment order dated 08.01.2026 (Annexure P1).

6. Accordingly, present petition stands disposed of reserving liberty to the petitioner to avail alternative statutory remedy available to him under the law, if so advised.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice