



2026:CGHC:9566



2026:CGHC:9566

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 803 of 2026

- 1 - Smt. Prabha Bai W/o Shri Rajkumar Aged About 44 Years Caste Kalaar, R/o Village Jobi, Tehsil Kharsia, Distt. Raigarh, Chhattisgarh.
- 2 - Rinki D/o Shri Rajkumar Aged About 24 Years Caste Kalaar, R/o Village Jobi, Tehsil Kharsia, Distt. Raigarh, Chhattisgarh.
- 3 - Abhishek S/o Shri Rajkumar Aged About 22 Years Caste Kalaar, R/o Village Jobi, Tehsil Kharsia, Distt. Raigarh, Chhattisgarh.

... Petitioners

versus

- 1 - State Of Chhattisgarh Through The Secretary, Department Of Revenue, Indravati Bhawan, Atal Nagar, Raipur, Distt. Raipur, Chhattisgarh.
- 2 - Collector Raigarh, Distt. Raigarh, Chhattisgarh.
- 3 - The Sub Division Officer (Revenue) Kharsia, Distt. Raigarh, Chhattisgarh.
- 4 - The Naib Tahsildar Kharsia, Distt. Raigarh, Chhattisgarh.
- 5 - Dorelal S/o Shri Tejram Caste Kalaar, R/o Village Jobi, Tahsil Kharsia, Distt. Raigarh, Chhattisgarh.
- 6 - Shailesh Kumar S/o Shri Rajkumar Aged About 26 Years Caste Kalaar, R/o Village, Jobi, Tahsil Kharsia, Distt. Raigarh, Chhattisgarh.

... Respondents

(Cause title, as taken from CIS)

For Petitioners	:	Mr. Rajendra Tripathi, Advocate
For State /Respondents No.1 to 4	:	Mr. Sabyasachi Choubey, Govt. Adv.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

**Order on Board****24/02/2026**

1. Heard.
2. This petition under Article 226 of the Constitution of India has been preferred by petitioners seeking following reliefs:-

“10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent authority to quash the order dated 10.12.2025 and order dated 15.05.2025 passed by the Sub Divisional Officer (Revenue) Kharsia, District Raigarh and passed by the Naib Tahsildar Kharsia, Dist. Raigarh (CG) respectively.

10.2. Cost of the petition may also be granted to the petitioner.

10.3. Any other relief, which this Hon'ble court deems fit and proper, may also kindly be granted to the petitioner, in the interest of justice.”

3. Learned counsel for the petitioners submits that the present petition has been filed challenging the order dated 10.12.2025 passed by the Sub-Divisional Officer (Revenue), Kharsia, District Raigarh in Appeal Case No.202404041400019/0429/Apl/A-70/2024-25 (Annexure -P/1), whereby it has upheld the order dated 15.05.2025 passed by the Naib Tahsildar, Kharsia, District Raigarh of eviction of petitioners from the subject land, and rejected the appeal. He further submits that the impugned order (Annexure -P/1) has been passed by the SDO (Revenue) as well as Naib Tahsildar, Kharsia without providing a due opportunity of hearing to the petitioners. Hence, learned counsel prays that the instant petition may be admitted for hearing.



4. *Per contra*, learned State counsel submits that the impugned order (Annexure -P/1) is appealable before the Collector under Section 44 (2) of the Chhattisgarh Land Revenue Code, 1959, therefore, the present petition is not maintainable.
5. Having considered that an efficacious alternative statutory remedy is available to the petitioners to challenge the impugned order (Annexure -P/1) by filing an appeal under Section 44 (2) of the CG Land Revenue Code, 1959, this Court is not inclined to entertain the instant petition by invoking extraordinary jurisdiction of this Court, hence the same is disposed of. However, liberty is left with the petitioners to avail aforesaid statutory remedy.
6. Accordingly, this writ petition is **disposed of**.
7. Pending interlocutory application(s), if any, stands disposed of. No order as to cost(s).

Sd/-

(Naresh Kumar Chandravanshi)

JUDGE