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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1112 of 2026**

Smt. Pushpa Singh W/o Tribhuwan Singh Aged About 45 Years R/o Village Dedari,
Tahsil And District Surajpur Chhattisgarh

... Petitioner**versus**

- 1** - State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
- 2** - State Of Chhattisgarh Through The Secretary, Urban Administration Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
- 3** - State Of Chhattisgarh Through The Secretary, Law And Legislative Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
- 4** - State Of Chhattisgarh Through The Secretary, Public Works Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
- 5** - District And Sessions Judge Surajpur District Surajpur Chhattisgarh
- 6** - Collector, Surajpur District Surajpur Chhattisgarh
- 7** - Sub Divisional Officer, Surajpur District Surajpur Chhattisgarh
- 8** - Tahsildar, Surajpur District Surajpur Chhattisgarh

... Respondents

For Petitioner	: Mr. Praveen Dhurandhar, Advocate
For Respondents/State	: Mr. Shreyansh Mehta, Panel Lawyer

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****16.3.2026**

1. The petitioner has preferred this writ petition under Article 226 of the Constitution of India, seeking following reliefs:-



“10.1 That, this Hon'ble Court may kindly be pleased to set-aside the impugned order dated 16-10-2020 (Annexure P-1) passed in Revenue Case No.202010260100001/A-19/2019-2020.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to conduct fresh enquiry over the allotment of subject land bearing Khasra No.2858/1 admeasuring 0.400 hectare situated at Village Surajpur, District Surajpur (C.G.) to the respondent No.5 to the extent where easement right of the petitioner to her land Khasra No.1542/2 has been affected.

10.3 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to provide Path-way to the petitioner to reach her land bearing Khasra No.1542/2 situated at Surajpur, Tahsil and District Surajpur (C.G.).

10.4 That, any appropriate writ, direction or order may also kindly be passed in favour of the petitioner, which this Hon'ble court deems fit in the circumstances of the case.

2. Learned counsel for the petitioner submits that the petitioner is the recorded owner of land bearing Khasra No.1542/2 admeasuring 0.0400 hectare situated at village Surajpur, Tahsil Surajpur Distt. Surajpur. The adjacent land to the aforesaid land is Government land bearing Khasra 2858/1. The only way to reach the main road from the land of the petitioner is through aforesaid Government land. However, the said Government land has been allotted for construction of residential house in favour of respondent No.5, without making any enquiry and without providing an opportunity of hearing to the petitioner, which is contrary to the provisions of Clause-5(3) and Chapter – 4 Clause 25(7) of the Revenue Book Circular. Learned counsel further submits that on account of aforesaid allotment, land of the petitioner has been blocked completely and she has been deprived of her



easementary right of way to reach her land. Hence, it is prayed that this petition may be admitted for hearing.

3. In reply, learned counsel for the State submits that if the petitioner has no other way to reach her land, then she may file application under Section 131 of the Chhattisgarh Land Revenue Code, 1959 (for short 'the Act 1959') before Tahsildar or she may file civil suit. Therefore, this petition is not maintainable.

4. I have heard learned counsel for the parties and perused the material available on record.

5. Provisions relied upon by the petitioner relates to *nistari* right of the common public, whereas in the instant petition, the grievance of the petitioner is personal, i.e. right to way to her land. For redressal of such grievance, there exists a specific provision under Section 131 of the Act 1959 by filing an application before concerned Tahsildar or the petitioner may also file civil suit claiming her easementary right. Without availing such remedy, the petitioner has directly approached this Court. Therefore, this Court is not inclined to entertain this petition invoking extra ordinary jurisdictions of this Court. Hence, the same is dismissed. However, liberty is left with the petitioner to approach appropriate forum for redressal of her greivance.

6. Accordingly, this writ petition is dismissed.

7. Pending interlocutory application(s), if any, stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge