



2026:CGHC:13054



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**NAFR**

## **HIGH COURT OF CHHATTISGARH AT BILASPUR**

### **WPC No. 1157 of 2026**

Chunu Ram Markam S/o Surit Aged About 40 Years R/o Ward No 8, Village-Kongiyakhurd Tehsil- Dewkar District- Bemetara (C.G.)

**--- Petitioner**

**versus**

**1 - State Of Chhattisgarh Through- The Principal Secretary Revenue Department Mahanadi Bhawan Atal Nagar Nawa Raipur District- Raipur (C.G.) 492001**

**2 - Collector District- Bemetara (C.G.)**

**3 - SDO (R) Saja District Bemetara (C.G.)**

**4 - Tehsildar Dewkar Block- Saja District- Bemetara (C.G.)**

**5 - Toran Gond S/o Neelkanth Aged About 55 Years R/o Village Kongiyakhurd Tehsil - Dewkar District- Bemetara (C.G.)**

**--- Respondent(s)**

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|----------------------------|---|--------------------------------|
| For Petitioner             | : | Mr. Himanshu Pandey, Adv.      |
| For Respondents No. 1 to 4 | : | Mr. Anadi Sharma, Panel Lawyer |

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**Hon'ble Shri Justice Naresh Kumar Chandravanshi**

**Order On Board**

**18-3-2026**

1. Learned counsel for the petitioner would submit that, on account



of complaint filed by respondent no. 5, Revenue Case No. 202505232700027 is pending consideration before the respondent No. 4/Tahsildar, Devkar Block, Saja. He further submits that in WPC No. 6241/2025 (Toran Gond and anr. Vs. State of CG and ors.), Coordinate bench of this Court has passed an order on 1-12-2025 directing the respondent No. 4/Tahsildar, Devkar Block, Saja to conclude the proceedings in revenue case No. 202505232700027 in accordance with law expeditiously preferably within a period of four months from the date of receipt of copy of this order. He further submits that, without concluding the proceeding of aforesaid revenue case, the respondent No. 4 has directly issued eviction notice (Annexure P-1) dated 25-2-2026 for removal of alleged encroachment, whereas the respondent No. 4/Tahsildar has not passed final order as to whether the petitioner has encroached or not.

2. In reply, learned State counsel, under instruction, would submit that, proceeding of aforesaid revenue case has not been concluded yet and the same is pending consideration before respondent No. 4.
3. Heard learned counsel for the parties and perused the material available on record.
4. As contended by learned State counsel, since proceeding of Revenue Case No. 202505232700027 has not been concluded yet and final order has not been passed, then it is surprising that,



how the respondent No. 4 has issued notice Annexure P-1 for removal of alleged encroachment, whereas it has not been decided yet whether the petitioner is an encroacher or not, as such, the notice Annexure P-1 is completely against the law. Therefore, notice (Annexure P-1) dated 25-2-2026 issued by the respondent No. 4/Tahsildar is quashed. However, liberty is left with the respondent No. 4 to conclude the proceeding of aforesaid revenue case and thereafter may proceed in accordance with law.

5. It is made clear that, this Court has not expressed any opinion on the merit of the case.
6. With the above observations and directions, this writ petition is disposed of.
7. Pending interlocutory application(s), if any, stands disposed of.

Sd/-

**(Naresh Kumar Chandravanshi)**  
**Judge**