



2026:CGHC:14957



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1366 of 2026**

1 - Smt. Krishna Namdev W/o Balram Prasad Namdev Aged About 62 Years R/o House No. A-8, Krishna Vartika, Gitanjali Vihar, Nehru Nagar Ward No. 17, Police Station - Civil Lines- Bilaspur, District- Bilaspur, Chhattisgarh

... Petitioner**versus**

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh

2 - Collector, Janjgir- Champa, District- Janjgir- Champa, Chhattisgarh

3 - Sub Divisional Officer (Revenue) Akaltara, District- Janjgir- Champa, Chhattisgarh

4 – Tahsildar, Akaltara, District- Janjgir- Champa, Chhattisgarh

5 - Gram Panchayat Banahil, Through Its Sarpanch, Village Panchayat- Banahil, Tahsil Akaltara, District- Janjgir- Champa, Chhattisgarh

... Respondents***(Cause title, as taken from CIS system)***

For Petitioner : Mr. VVS Murthy, Sr. Advocate assisted by
Mr. Shantanu Kumar, Advocate

For State/Respondent Nos.1 to 4 : Mr. Sabyasachi Choubey, Govt. Advocate.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****01/04/2026**

1. Heard.

2. This petition has been preferred by petitioner under Article 226 of the



Constitution of India seeking following reliefs:-

“10.1 This Hon'ble Court may kindly be pleased to directed the respondent State to call relevant records, pertaining to the instant matter.

10.2 This Hon'ble Court may kindly be pleased to Issue a writ or any other appropriate writ, order or direction, to the respondent to provide physical possession of Khasra no. 178/1 situated at Halka no. 23 at Village Banahil, Tahsil – Akaltara;

10.3 This Hon'ble Court may kindly be pleased to Issue a writ or any other appropriate writ, order or direction, to the respondent to remove the encroachment done by respondent no. 5 and villagers on Khasra no. 178/1 situated at Halka no. 23 at Village Banahil, Tahsil - Akaltara’

10.4 This Hon'ble Court may kindly be pleased to Issue a writ or any other appropriate writ, order or direction, to the respondent to the alternative, direct the respondents to allot suitable Government land of equivalent area in exchange of the petitioner's land, ie Khasra no. 178/1 situated at Halka no. 23 at Village Banahil, Tahsil - Akaltara, in light of annexure P/12 and to decide the pending representations i.e. 23/12/2016, 15/12/2017, 18/04/2022, 28/03/2024, and 29/04/2025 (Annexure P/12);

10.5 This Hon'ble Court may kindly be pleased to Restrain the private Respondents from interfering in any manner with the peaceful possession and enjoyment of the Petitioner over his patta land;

10.6 This Hon'ble Court may kindly be pleased to Grant any other relief(s) deemed fit and proper in the facts and circumstances of the case, including costs of the petition.”

- 3.** Learned counsel for the petitioner submits that the petitioner is the recorded owner of the land bearing Khasra No. 178/1, Rakba 2.90 acres, Halka No.23, situated at Village Banahil, Tahsil Akaltara (CG), which she purchased vide registered sale deed dated 02.06.2011. He further submits that, since the petitioner resides at Bilaspur, in her



absence, villagers of Village Banahil have encroached upon the aforesaid land and constructed a graveyard and concrete road, and have also installed a water hand pump. When the petitioner intended to raise a boundary wall on the said land, the villagers objected the same. He next submits that the petitioner filed repeated applications before the respondent authorities. Reports were also called from the Revenue Authorities to provide alternative land to the petitioner; however, ultimately, vide impugned order dated 08.01.2026 (Annexure P-1) passed by respondent No.4/the Tahsildar Akaltara, District Janjgir-Champa (CG), the claim of the petitioner was rejected, stating therein that the Gram Panchayat has constructed a graveyard, hand pump, and concrete road, therefore, it would not be appropriate to remove such structures and hand over possession to the petitioner, as the same is beyond the jurisdiction of the revenue court.

3.1 Learned counsel for the petitioner further submits that the petitioner has been filing applications/representations before the Collector and other revenue authorities since the year 2016, with a prayer to grant her alternative land or compensation by acquiring the subject land; however, the same has not been decided yet by the Collector, District Janjgir-Champa. Lastly, the petitioner filed an application dated 29.04.2025 before the Collector, District Janjgir-Champa making the same prayer, which has also not been decided yet. Hence, learned counsel prays that, at this stage, the present petition may be disposed of with a direction to respondent No.2 /the Collector, District Janjgir-Champa to decide the application dated 29.04.2025 filed by the petitioner within a stipulated period.

4. On this, learned counsel appearing for the State/respondent Nos.1 to 4



submits that, since it is a private dispute between the petitioner and the villagers of Village Banahil and the Gram Panchayat, therefore, respondent No.4 / the Tahsildar has rejected the application of the petitioner, as he has no jurisdiction to hand over possession of the subject land after removing the constructions raised thereon. However, respondent No.2/ the Collector, District Janjgir-Champa will decide the application dated 29.04.2025 filed by the petitioner in accordance with law.

5. Having considered the limited prayer made by learned counsel for petitioner and the submissions made by learned counsel for State/respondent Nos.1 to 4, and without entering into the merits of the case, the present writ petition is disposed of at this stage directing respondent No.2/ the Collector, District Janjgir-Champa (CG) to decide the application dated 29.04.2025 filed by the petitioner expeditiously, preferably within a period of **60 days** from the date of receipt/submission of a copy of this order, which shall be filed by the petitioner along with a copy of her application dated 29.04.2025.
6. With aforesaid observation and direction, the writ petition stands **disposed of**.
7. Pending interlocutory application(s), if any, also stands disposed of. No order as to cost(s).

Sd/-
(Naresh Kumar Chandravanshi)
Judge