



2026:CGHC:14199



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1302 of 2026

Tufan Singh S/o Balkishan Aged About 45 Years Caste Gond, Sarpanch Gram Panchayat Semra, Janpad Panchayat Gaurella, Tahsil Pendraroad, Distt. Gaurella-Pendra- Marvahi (CG)

... Petitioner.

Versus

1 - State Of Chhattisgarh Through Secretary, Panchayat Department, Mantarlaya, Atal Nagar, New Raipur (CG)

2 - Collector Gaurella, Distt. Gaurella-Pendra- Marvahi (CG)

3 - Sub Divisional Officer(R) Pendraroad, Distt. Gaurella-Pendra- Marvahi (CG)

4 - The Tahsildar Tahsil Pendroad, Distt. Gaurella-Pendra- Marvahi (CG)

5 - Sarifunnisha W/o Safique R/o Village- Semra, Tahsil- Pendraroad, Distt. Gaurella-Pendra- Marvahi (CG)

... Respondents.

For Petitioner	:	Mr. B. L. Dembara, Advocate.
For Res No.1 to 4 /State	:	Mr. Saumitra Kesharwani, PL.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

25/03/2026



1. This Writ Petition under Article 226 of the Constitution of India has been filed for the followings reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to call for the records from the concerned authorities for its kind perusal.

10.2 That, this Hon'ble Court may kindly further be pleased to issue a writ in the nature of mandamus or to issue appropriate direction, directing the respondent no. 3 to ensure and get possession of the government land upon which the respondent no.5 has illegally made construction i.e 12X5.70 Sq.meter of part of Khasara no. 44 area 0.445 Hectare situated at village Semra Distt. Gaurella-Pendra-Marvahi (C.G.)

10.3 That, any other relief which the Hon'ble Court deems fit and proper as per the nature of the case."

2. Learned counsel for the petitioner submits that the private respondent (Respondent No.5) has encroached on some portion of Government land bearing Khasra No.44, Area 0.445 Hectares, situated in Village Semra, Tahsil Pendra road, District Gaurella-Pendra-Marvahi. He further submits that on the basis of the complaint application made by the petitioner (Annexure-P/1) dated 18.08.2025, a report has been sought from the concerned Tahsildar, to which, a report has been submitted by the concerned Patwari vide Annexure-P/2. Despite this, proceedings have not been concluded by the Authorities and the encroachment has not been removed by the Tahsildar Pendra road.
3. On the other hand, learned State counsel submits that the concerned Gram Panchayat has passed a resolution with regard to the removal of the encroachment of respondent No.5, for which the SDO (Revenue) Pendra road has sought Police force for the removal of encroachment vide Annexures-P/3 & P/5. Thus, the proceeding is already going on and the encroachment will be removed at the earliest.



4. Heard learned counsel for the parties and perused the record.
5. Whenever any proceeding is initiated by Revenue Officers, they ought to register the revenue case for further proceedings. In the instant case, various orders have been issued and communications have been made by the Revenue Officers and respondents/Authorities including the SDO (Revenue) Pendraroad, however, perusal of orders/communications and the application filed by the petitioner (Annexure-P/1) would show that in none of the documents revenue case is mentioned. Such conduct of the Revenue Authority in proceeding without even registering the revenue case is highly condemnable.
6. Learned State counsel is directed to inform the concerned District Collector that whenever such an application is filed, a Revenue Case should be registered at the earliest following due verification, thereafter, the necessary proceedings may be initiated.
7. Reverting back to the present case, having considered the limited grievance of the petitioner and the contentions made by counsel for the parties, at this stage, this petition is disposed of directing respondent No.4 to complete the proceeding initiated in respect of annexed letter/communications Annexures-P/2 to P/5 and also decide the application of the petitioner at the earliest.
8. The aforesaid proceedings shall be completed within a period of 45 days from the date of receipt/submission of a copy of this order.
9. With the aforesaid direction/observation, this writ petition stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay