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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1398 of 2026

Bhagat Singh S/o Late Dhan Singh, Aged About 50 Years R/o Vill- Chainpur, Ward No. 1, P.S. And P.O. Manendragarh, District- Manendragarh - Chirmiri- Bharatpur (C.G.)

... Petitioner

versus

- 1 - State Of Chhattisgarh Through Secretary, Department Of Revenue Ministry At Mahanadi Bhawan, New Raipur District- Raipur (C.G.)
- 2 - Collector, District- Manendragarh - Chirmiri- Bharatpur (C.G.)
- 3 - Sub Divisional Officer (Revenue) Manendragarh District- Manendragarh - Chirmiri- Bharatpur (C.G.)
- 4 - Tahsildar, Manendragarh District- Manendragarh - Chirmiri- Bharatpur (C.G.)
- 5 - SHO, City Kotwali Manendragarh District- Manendragarh - Chirmiri- Bharatpur (C.G.)

... Respondents

(Cause title, as taken from CIS)

For Petitioner	:	Mr. Jai Prakash Shukla, Advocate.
For Respondents	:	Mr. Shreyansh Mehta, P.L.

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

30/03/2026

1. Instant writ Petition under Article 226 of the Constitution of India has been preferred by the petitioner seeking following reliefs :-

“10.1 That that Hon'ble Court may kindly be pleased to direct the respondent authorities to call the entire records pertaining to this case.



10.2 That, the Hon'ble Court may kindly be pleased to issue writ in the nature of certiorari *prohibition*/mandamus, declaring the impugned notice 13-032026 (Annexure P-1) and order dated 16-07-2025 passed by Tahsildar Manendragarh and order dated 23-02-2026 passed by SDO (R) Manendragarh as unconstitutional, illegal and arbitrary and further to quash it, and further to prohibit the authorities from demolishing residential house constructed over questioned land and vacate petitioner's valid possession over questioned land and further to pass any other order which deems fit including cost of the petition in the interest of justice.

2. Learned counsel appearing for the petitioner submits that respondent No. 4- Tahsildar, Manendragarh, Distt. Manendragarh-Chirmiri-Bharatpur (C.G.) passed eviction order (Annexure P-5) dated 16.07.2025 against the petitioner under Section 248 of the C.G. Land Revenue Code, 1959 (for brevity, 'Code') in Revenue Case No. 2025063330500087/A-68/2024-25. Against which, the petitioner has preferred first appeal before Sub Divisional Officer (Revenue), Manendragarh, Distt. Manendragarh-Chirmiri-Bharatpur (C.G.), which was rejected by the said SDO (R) vide order dated 23.02.2026 passed in Revenue Case No.2025063330500087/3304/APL/A affirming the order dated 16.07.2025 passed by Tahsildar, Manendragarh, Distt. Manendragarh-Chirmiri-Bharatpur (C.G.). On the basis of aforesaid order, Tahsildar, Manendragarh, District Manendragarh-Chirmiri-Bharatpur (C.G.) has issued eviction notice (Annexure P-1) dated 13.03.2026 against the petitioner. He further submitted that the petitioner intends to prefer a second appeal before the Commissioner, Surguja Division, Ambikapur under the provisions of the C.G. Land Revenue Code—against the order passed by the SDO (R), Manendragarh, District Manendragarh-Chirmiri-Bharatpur (C.G.) on 23.02.2026; Therefore, he prays that this petition be disposed of with the liberty to the petitioner to file a second appeal against the order passed by the Tehsildar, Manendragarh, on



23.02.2026. Till then, interim protection may be granted to the petitioner in respect of Eviction Notice dated 13.03.2026 (Annexure P-1).

3. Per contra, learned counsel for the State submits that instead of filing second appeal before Commissioner, Sarguja Division, Ambikapur, the petitioner has preferred instant writ petition before this Court whereas limitation is available in favour of the petitioner to challenge the order dated 23.02.2026 passed by Sub Divisional Officer (Revenue), Manendragarh, District Manendragarh-Chirmiri-Bharatpur, hence, this petition is liable to be rejected.

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

5. An order dated 23.02.2026 passed by Sub Divisional Officer, (Revenue) Manendragarh, District Manendragarh-Chirmiri-Bharatpur is appealable before Commissioner, Sarguja Division, Ambikapur under the relevant provisions of the Code, 1956; the petitioner wants to file appeal against such order and the limitation is also with the petitioner for filing second appeal. Therefore, this petition is disposed of granting liberty in favour of the petitioner to file second appeal under the provisions of Code, 1959 against the order dated 23.02.2026 passed by SDO (R), Manendragarh within a period of 15 days from today. Till then, no coercive steps shall be taken against the petitioner in respect of order dated 23.02.2026 passed by Sub Divisional Officer (Revenue), Manendragarh, District Manendragarh-Chirmiri-Bharatpur, if the same has not been complied with.

6. It is made clear that if the appeal is not filed by the petitioner within the stipulated period, then interim protection granted to him by this Court shall lose its efficacy.



7. With the aforesaid observations & directions, the writ petition is disposed of.
8. Pending interlocutory application (s), if any, stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge



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