



2026:CGHC:15439



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 442 of 2026

1 - Prabhunarayan S/o Late Harinam Sahu, Aged About 45 Years R/o Village Sakariya, Post Bacharapodhi, Tahsil Khadgawa District- Korea (C.G.)

2 - Hemchand S/o Prabhunarayan Aged About 27 Years R/o Village Sakariya, Post Bacharapodhi, Tahsil Khadgawa District- Korea (C.G.)

... **Petitioners**

Versus

1 - Umesh Kumar Patel Sdm Baikunthpur, District Korea (C.G.)

2 - Khuldeep Narayan S/o Late Ramdulare Sahu, Aged About 32 Years R/o Village Sakariya, Post Bacharapodhi, Tahsil Khadgawa District- Korea (C.G.)

3 - Madanlal S/o Late Harinam Sahu, Aged About 40 Years R/o Village Sakariya, Post Bacharapodhi, Tahsil Khadgawa District- Korea (C.G.)

... **Respondents**

For Petitioners : Ms. Madhunisha Singh, Advocate

SB: Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

02/04/2026

1. This contempt petition has been filed by the petitioner under under Section 12 of the Contempt of Courts Act, 1971 r/w. Article 215 of the Constitution of India alleging willful non-compliance of the order dated 03.07.2024 passed by this Court in SA No. 270/2024.
2. Learned counsel for the petitioner submits that even after passing of the interim order of stay, Respondents No. 2 & 3 have started raising



construction over the disputed land and thereby, are committing contempt of the interim order passed in Second Appeal. She also contended that the Respondent No. 1 is the Sub-Divisional Officer before whom, an application was submitted by the petitioner who initially have passed an interim order vide order dated 18.02.2026. However, vide order dated 03.03.2026, the interim order was set-aside with an observation that the applicant therein has submitted an application suppressing the material fact.

3. I have heard learned counsel for the petitioner and perused the documents enclosed along with the contempt petition as also forming part of the Second Appeal.
4. In Second Appeal No. 270/2024, challenge is to the judgement and decree dated 31.07.2023 passed by the Additional District Judge, Chirmiri, District – Korea passed in Civil Appeal No. 47A/2023 whereby, the appeal filed by the Respondent No. 3 came to be dismissed affirming the judgment and decree passed by the learned Trial Court. The judgment passed in civil suit is also filed as Annexure A/2 in Second Appeal in which, Respondent No. 2 was plaintiff. Applicants herein/petitioners in civil suit were Defendants along with the Respondent No. 3. The suit was filed for declaration of title.
5. Learned Trial Court allowed the suit in which, Trial Court has held that the land in dispute bearing Khasra No. 152 and 153/3 (old), new Khasra No. of which are 281/1336 and 248/1337 and the other land bearing Khasra No. 546 and 568 (old) and new Khasra No. of which are 1025 and 1039 is being transferred to the father of the Plaintiff by Defendants No. 1 and 2. Plaintiff i.e. the Non-Applicant No. 2/Respondent No. 2 have been declared to have title over the land in dispute and further restrained the Defendants including the Applicant No. 1 herein to not to interfere and not to make any attempt to disposes the plaintiff. The order subject matter of contempt is of staying the effect and operation of the impugned judgment and decree in Second Appeal i.e. the judgement and decree passed by the First Appellate Court affirming



the judgement and decree of the Trial Court. There is no order in the Second Appeal of maintaining the *status quo* or any order directing the respondents not to change the nature of the suit property. In the aforementioned facts of the case and considering the pleadings made in the application, submission of counsel for the petitioner that the Respondent No. 2 is raising construction over the disputed land, I do not find any substance to hold that the Respondent No. 2 has in any manner violated the interim order passed in Second Appeal subject matter of the contempt dated 03.07.2024. Accordingly, the contempt petition is **dismissed**.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Dey