



2026:CGHC:19832



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2065 of 2026

1 - Sunil @ Ghanshyam Singh S/o Late Ramadhar Singh Aged About 44 Years R/o Gram - Gadaghat (Kathmunda) Tehsil - Takhatpur, District - Bilaspur (C.G.)

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Nawa Raipur, District - Raipur (C.G.)

2 - Collector District- Bilaspur

3 - Sub Divisional Officer (Revenue) Takhatpur, District - Bilaspur (C.G.)

4 - Tehsildar Takhatpur, District - Bilaspur (C.G.)

5 - Naib Tehsildar Takhatpur, District - Bilaspur (C.G.)

6 - Vishnu Prasad Diwedi S/o Omkar Prasad Aged About 60 Years R/o Gram - Belpan, Tehsil - Takhatpur, District - Bilaspur (C.G.)

...

Respondent(s)

For Petitioner(s)	:	Dr. Arpit Lall, Advocate.
For State/Res	:	Shri Soumitra Kesharwani, PL.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

29/04/2026

1. The petitioner by way of this Writ Petition has prayed for the following reliefs:-

10.1 That this Hon'ble Court may kindly be pleased to issue the writ of mandamus directing the respondent authorities to executed the order dated 03.10.2024 passed by the Tehsildar and to remove an illegal constructions raised by respondent



no. 6 on the Government land expeditiously in accordance with law.

10.2 That, this Hon'ble Court may kindly be pleased to grant any other relief/relief's in favour of the petitioner, which the Hon'ble Court deemed fit & just in the facts and circumstances of the case, including awarding of the costs to the petitioner.

2. Necessary facts of the case are that the petitioner is the registered owner of the land bearing Khasra no. 838/1 admeasuring 1.08 Acre, P.H.N. 12, R.N.M. Belpan, Tehsil - Takhatpur, District - Bilaspur (C.G.). Towards west from the abovementioned land of the petitioner, the land bearing Khasra no. 850/1 admeasuring 1.540 hectare is situated which is a Government land. The revenue records undisputedly reveals the land belongs to the Government. Respondent no. 6 illegally made an encroachment at around 0.50 acre of the abovementioned Government land and raised the construction of the house and shop due which the petitioner and the other residents of the village are facing problems for their Nistar. Respondent no. 6 rented the shops constructed on the Government land and is getting huge sum of money from the government land. The petitioner made an application under section 248 of C.G. Land Revenue Code before the Tehsildar for the removal of an illegal encroachment. The Tehsiladar after perusing the revenue records and the report of the revenue inspector found that the respondent no. 6 is in the illegal possession of the Government land. The Tehsildar on 03.10.2024 passed an order for the removal of the encroachment within 7 days. After passing of said order, the Respondent no. 6 continues to be in the possession of the Government land and enjoys the rent and all benefits. Furthermore, the said order has not been challenged in any appellate court by the respondent no. 6. Hence this Petition.



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3. Learned counsel for the petitioner submits that vide order dated 03.10.2024, the Tehsildar has passed an order for removal of encroachment made by Respondent No.6, despite that Respondent No.6 is still enjoying the encroached land, therefore, necessary direction may be issued by this Court for execution of order dated 03.10.2024.
4. Learned State counsel on the other hand submits that petitioner ought to have approached the Tehsildar for execution of order for removal of encroachment.
5. Considering the grievance raised by the petitioner and upon considering the fair submission made by learned State counsel, this Court directs the petitioner to approach the concerned Tehsildar who has passed the order for removal of encroachment to redress his grievance.
6. With the aforesaid direction, this Writ Petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Avinash