



2026:CGHC:20831



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2173 of 2026

1 - Vikas Soni S/o Shri Baijnath Soni Aged About 43 Years R/o Ward No. 11, Tehsil Nawagarh, Distt. Bemetara, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur
Chhattisgarh

2 - The Collector, Bemetara District Bemetara Chhattisgarh

3 - Sub-Divisional Officer (Revenue) Nawagarh, District Bemetara Chhattisgarh

4 - Tehsildar, Nawagarh District Bemetara Chhattisgarh

5 - Gram Panchayat, Samesar Through Its Secretary, Janpad Panchayat Nawagarh, District Bemetara Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Mr. Prateek Sharma, Advocate.
For Respondent(s)/State	:	Mr. Shobhit Mishra, Dy. G.A. and Mr. Soumitra Kesharwani, PL
For Respondent No. 5	:	Mr. Vipra Sen Agrawal, Advocate.

**Hon'ble Mr. Justice Amitendra Kishore Prasad****Order on Board****05/05/2026**

1. By way of this petition, the petitioner has prayed for following reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to set aside the impugned orders dated 23.04.2026 11.12.2025 and 22.04.2026 (ANNEXURE P/1, P/2 & P/3) passed by respondent Tehsildar and respondent SDO, in the interest of justice.

10.2 That, any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the costs of the petition may be given.."

2. Brief facts of the case, is that, the present writ petition has been preferred challenging the bedakhli (eviction) warrant dated 23.04.2026, which has been issued pursuant to the orders dated 11.12.2025 and 22.04.2026, whereby the private land purchased by the petitioner through a duly registered sale deed has been directed to be entered into Wajib-ul-Arz; it is submitted that the said order regarding entry of the petitioner's land into Wajib-ul-Arz has not attained finality, as an appeal against the same is presently pending consideration before the Chhattisgarh Board of Revenue; it is further submitted that the impugned warrant dated 23.04.2026 was served upon the petitioner only on 29.04.2026 at about 2:00 PM, directing the petitioner to vacate possession on or



before 04.05.2026, failing which forcible dispossession is threatened on the said date; that such action has been initiated without granting sufficient opportunity to the petitioner to avail the legal remedies available under law and without adhering to the principles of natural justice, and is further contrary to the settled legal position laid down by this Court as well as the Hon'ble Supreme Court; and that, in these circumstances, the petitioner has been constrained to approach this Court seeking appropriate relief against the impugned actions of the respondent authorities.

3. Learned counsel for the petitioner submits that the dispute in question is required to be adjudicated by the competent Commissioner, as the matter concerning the entitlement and title of one Devadas, from whom the petitioner has purchased the property, is still pending consideration; it is contended that since the very foundation of the petitioner's title is dependent upon the outcome of the said pending proceedings relating to Devadas, the petitioner may be granted a period of 30 days' time to file an appropriate application before the Board of Revenue; it is further prayed that, till such time, the warrant issued against the petitioner on 23.04.2026 may not be given effect to, in order to prevent any irreparable prejudice to the petitioner.
4. On the other hand, learned counsel for the respondents opposes the same.
5. I have heard learned counsel for the parties and perused the material available on record.



6. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court is of the considered opinion that, in the facts and circumstances of the case, particularly in view of the dispute relating to title and entitlement being pending consideration before the competent forum, it would be appropriate for the petitioner to avail the alternative statutory remedy available under law. Accordingly, without expressing any opinion on the merits of the case, the present petition is **disposed of** with a direction that the petitioner shall be at liberty to pursue such alternative remedy, if so advised, before the appropriate forum; it is further directed that, for a limited period to enable the petitioner to avail such remedy, no coercive steps shall be taken against the petitioner in pursuance of the warrant dated 23.04.2026, subject to the petitioner approaching the competent forum within the stipulated time.

Sd/-

**(Amitendra Kishore Prasad)
Judge**