



2026:CGHC:21530



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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 457 of 2026

1 - Gorelal Sahu S/o Late Pularu Ran Sahu, Aged About 45 Years (Cast Teli), R/o- Gram And Post Baigakapa Tehsil Lalpur District -Mungeli C.G.

2 - Vimal Kishor Sahu S/o Late Pularu Ram Sahu Aged About 32 Years (Castr Teli), R/o- Gram And Post Baigakapa Tehsil Lalpur District -Mungeli C.G.

... Applicants.

Versus

1 - State Of Chhattisgarh Through- Secretary, Revenue Department Mantralaya, Mahanadi Bhawan Nawa Raipr Atal Nagar District Raipur C.G.

2 - Collectorate Mungeli District Mungeli C.G.

3 - Sub Divisional Officer, (R) Lormi District Mungeli C.G.

4 - Tehsildar Lalpur Tehsil Lalpur District Mungeli C.G.

5 - Dhruw Kumar Sahu S/o Tanagu Ram Sahu (Ex,-Sarpanch) And Adhikrit Up-Sarpanch (Husband Of Sulochana Sahu) R/o Gram And Post Baigakapa Tehsil Lalpur, District Mungeli C.G.

6 - Chhote Bai Kashyap W/o Dayalu Kashyap Aged About 65 Years R/o All Belongs To Caste Kurmi R/o- Gram And Post Baigakapa Tehsil Lalpur District Mungeli C.G.

7 - Arun Kashyap S/o Dayalu Kashyap Aged About 65 Years R/o All Belongs To Caste Kurmi R/o- Gram And Post Baigakapa Tehsil Lalpur District Mungeli C.G.

8 - Bimla Kashyap W/o Arun Kashyap Aged About 49 Years R/o All Belongs To Caste Kurmi R/o- Gram And Post Baigakapa Tehsil Lalpur District Mungeli C.G.

9 - Varun Kashyap S/o Dayalu Ram Kashyap Aged About 47 Years R/o All Belongs To Caste Kurmi R/o- Gram And Post Baigakapa Tehsil Lalpur District Mungeli C.G.

10 - Jai Kashyap S/o Arun Kashyap Aged About 22 Years R/o All Belongs To Caste Kurmi R/o- Gram And Post Baigakapa Tehsil Lalpur District Mungeli C.G.

... Respondents.



For Applicants	:	Ms. Sharmila Singhai, Senior Advocate with Ms. Kanchan Kalwani, Advocate.
For State	:	Mr. Dilman Rati Minj, Dy. AG.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

08/05/2026

Heard.

- 1) This MCC has been filed seeking correction/modification in the order dated 10.09.2025 passed by this Court in WP(C) No.4799/2025, whereby, this Court disposed of the case by passing the following order in Para 5 & 6:-

"5. Considering the entire facts and circumstances of the case especially considering the fact that the application of the petitioner under Section 248 of the C.G. Land Revenue Code, 1959 has been dismissed by the concerned authority, therefore, the petitioner is having alternative remedy of filing an appeal under Section 44 (1) of the C.G. Land Revenue Code, 1959 and the petitioner is granted liberty to file appeal under Section 44 (1) of the C.G. L.R.C., 1959, if so advised.

6. With the aforesaid observation the instant writ petition stands disposed of."

- 2) Learned Senior counsel for the applicants submits that for redressal of their grievance, the applicants had filed an application under Section 248 of the CG Land Revenue Code, 1959 (henceforth the "**Code 1959**") before the Court of Tahsildar, Lalpur Thana, District Mungeli. Simultaneously, they had also preferred the aforesaid writ petition, bearing WPC No. 4799/2025, before this Hon'ble Court. However, in the said writ petition, the counsel appearing for the applicants (petitioners therein) inadvertently submitted before this Court that the aforesaid application has been dismissed by the Tahsildar and



sought permission to avail the alternative remedy of appeal under Section 44(1) of the Code 1959. After hearing the parties and observing the aforesaid submission, this Court disposed of the petition granting liberty to file an appeal under the aforesaid provision.

- 3) Learned counsel further submits that, after verification, it was found that the submission with regard to the dismissal of the application by the learned Tahsildar was mistakenly made, as the learned Tahsildar, Lalpur, had already allowed the application filed by the applicants/petitioners under Section 248 of the Code 1959 vide order dated 23.07.2025 (Annexure-A/2) passed in E-Court No.202504251900056/B-121/2024-25 (Village Baigakapa PHN 14, Tahsil Lalpur, District Mungeli). Learned counsel further submits that although a wrong submission was previously made by the counsel for the petitioner therein and this Court granted liberty to avail an alternative remedy, however no appeal is required to be preferred since the application of the applicants was already allowed. But, after the passing of the order by this Court, the petitioners mistakenly filed an appeal on 03.10.2025 against the order dated 23.07.2025 (Annexure-A/2) before the Sub-Divisional Officer (Revenue), Lormi, District Mungeli (CG), which has been registered as Appeal No. B-121/24-25.
- 4) Learned counsel submits that the applicants do not wish to prosecute the appeal for the aforesaid reasons, but they are facing difficulty in withdrawing the same, as the concerned SDO is not permitting the applicants/petitioners to withdraw the same because there is an order dated 10.09.2025 passed by this Court. Hence, she prayed that order dated 10.09.2025 may kindly be suitably modified/corrected and the liberty to file the appeal under Section 44(1) of the Chhattisgarh Land Revenue Code, 1959 may be taken back in



the interest of justice, or this petition may be disposed of granting liberty to the applicants to withdraw the appeal before the SDO (Revenue) Lormi.

- 5) Learned State counsel does not oppose the limited prayer made by the applicants.
- 6) Having considered the submissions of the learned counsel for the applicants and the limited prayer sought by them, as the order dated 23.07.2025 (Annexure-A/2) passed by the Tahsildar, Lalpur, was already passed in favour of the applicants, this Court finds that there was no need to file a further appeal. However, since it is stated by counsel for the applicants that due to an inadvertent submission by the then counsel and in compliance of the order passed by this Court on 10.09.2025, an appeal was filed before the SDO (Revenue) Lormi, therefore, on due consideration this Court is inclined to allow the limited prayer of the applicants.
- 7) Consequently, the applicants/petitioners are permitted to withdraw the appeal filed before the Sub-Divisional Officer (Revenue), Lormi, District Mungeli bearing Appeal No. B-121/24-25, as stated above.
- 8) MCC is disposed of accordingly.
- 9) Pending application, if any, also stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay