



HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 737 of 2025

SMT. SUMAN NADESAN UNNI (IN PERSON) **Versus** ABHIJEET SINGH

Order Sheet

17/03/2026	Smt. Suman Nadesan Unni, Petitioner in person. Mr. Shashank Thakur, Additional A.G. for the State-respondent No. 1 and 2. Mr. Tarendra Kumar Jha, Counsel for the Intervener. The order which is subject matter of the contempt, records as under: “It appears from the representation that the petitioner is raising a grievance about illegal encroachment by some of the persons over the grassland, hence it is directed that the Collector Durg shall consider the representation submitted by the petitioner and look into the grievance of the petitioner in accordance with law and take necessary steps, if illegal encroachment is found over the grassland situated in village- Borsi bearing Khasra No. 194/1.”

During the course of hearing of this writ petition, submission was made by the petitioner in person that the respondent authorities have not complied with the order passed by this Court in its true spirit and they are protecting the encroachers over the Government Land who are influential persons. She submits that in the affidavit which is filed before this Court by the respondent No.1 on 17.03.2026 is also not giving the correct facts.

It is contention of the petitioner that in the affidavit it is pleaded that the total area of Khasra No.194/1 as per record is 1.3680 hectares (147250 square feet) whereas, according to the report they only found 0.580 hectares (62430 square feet) of land available on spot which prima facie shows that the entire land of Khasra No. 194/1 has not been measured to identify the persons encroached upon the Government Land. She also submits that the respondent authorities only to save the encroached persons who have encroached upon the land having possession over the land bearing Khasra No. 194/1. The map placed along with affidavit is also not correct. Affidavit mentions the area of Khasra No. 194/2 big in size thrice the area which is shown in Khasra No. 194/1 whereas, the actual area of the land bearing Khasra

No.194/2 in the government record is 0.47 acres (0.2300 hectares). Respondent authorities are not taking the concrete steps to comply with the orders of this Court in its word and spirit.

Counsel for the respondent No. 1 and 2 would submit that pursuant to the observation made by this Court he has filed affidavit of respondent No.1 after completing the proceedings of the spot inspection. He contended that when the officials of Revenue Department went on spot they found about 37 persons, however, on spot, name of one person is mentioned twice and the possession of one person is found in Khasra No. 194/2 instead of 194/1. According to the proceedings of the revenue officials they found 35 persons as encroacher over the land bearing Khasra No.194/1 out of which one person is brother of petitioner. He also contended that all the 34 persons have filed an appeal before the Sub Divisional Officer, Revenue against the order passed by the Naib Tahsildar under Section 248 of the C.G. Land Revenue Code. He submits that the appeal is heard by Sub Divisional Officer, however, order is still to be passed.

Pursuant to the order sheet dated 07.11.2025 when the revenue authorities went on spot to remove the

encroachment, the persons who are encroachers have approached this Court by way of filing MA No. 223 of 2025 in which the Division Bench of this Court has passed an order of maintaining Status Quo as it exists on that date with respect to the suit property and accordingly, the drive of removing encroachment is made to stand still.

Be that as it may, the order passed in writ petition is that of removing encroachment from the Khasra No. 194/1 which is undisputedly recorded as a grassland in revenue records. According to the factual pleadings made by the respondents the area of the land bearing Khasra No. 194/1 according to the revenue records is 1.3680 hectares (147250 square feet). In the affidavit it is only mentioned that according to measurement of current map, only 0.580 hectares of land is available (62430 square feet). Land is not a removable article and therefore once according to the government records, the area of land in revenue records is mentioned as 147250 square feet, then the land mentioned in revenue records must be available on spot and therefore, the affidavit submitted by the respondents mentioning that as per recent map land available is only 62430 square feet is not acceptable, as also the map which is placed on record

at page No. 50 marking the Khasra No as 194/2 to be much bigger patch of the land shown in the map in comparison to Khasra No. 194/1 whereas, the area of the Khasra No. 194/2 is in revenue records is 0.2300 hectares. The map which is placed on record, prima facie on its face, in view of the area of the land mentioned in revenue record of Khasra No. 194/2 appears to be not a correctly prepared map.

From the aforementioned facts, it is appearing that the respondent-contemnor is not placing correct facts before this Court and have not complied the order passed by this Court in WP No. 1035 of 2025 dated 24.02.2025 further are not taking appropriate steps to comply the same.

For the foregoing reasons, let the contemnors appear before this Court in person for drawing further proceedings on 15.04.2026.

Sd/-

(Parth Prateem Sahu)
JUDGE