



2026:CGHC:12651-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 235 of 2021**

Shree Engineers And Builders Private Limited Through The Director - Abhay Tripathi, S/o Shir Kripashankar Tripathi, Aged About 54 Years, Residence Of Panchamrit Bhawan Bramhroad, Ambikapur, District Surguja, Chhattisgarh. (Petitioner), District : Surguja (Ambikapur), Chhattisgarh

... Appellant**versus**

1 - State of Chhattisgarh Through The Collector Surguja - Ambikapur, District Surguja, Chhattisgarh. (Non Applicant No. 1)

2 - Kishore Kumar Gupta S/o Shri Laxmi Prasad Gupta Residence of Harratikara, Tahsil Ambikapur, District Surguja, Chhattisgarh. (Non Applicant No. 2)

3 - The Commissioner Surguja Division, District Surguja, Chhattisgarh. (Non Applicant No. 3)

4 - Board of Revenue Through The Secretary, Board of Revenue, Mungeli Road Bilaspur, District Bilaspur, Chhattisgarh. (Non Applicant No. 4)

... Respondents

For State/Appellant : Mr. Nishikant Sinha, Advocate

For Respondents/State : Mr. Prasun Bhaduri, Dy. Advocate General

For Intervenor : Mr. Anoop Majumdar, Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice**Hon'ble Shri Ravindra Kumar Agrawal, Judge****Judgment on Board****Per Ramesh Sinha, Chief Justice****17.03.2026**

1. Heard Mr. Nishikant Sinha, learned counsel for the appellant.

Also heard Mr. Prasun Bhaduri, learned Deputy Advocate



General, appearing for the State/ respondent Nos. 1, 3 & 4 and Mr. Anup Majumdar, learned counsel, appearing for the intervenor.

2. By way of present writ appeal under Section 2 of Sub-Section (1) of the Chhattisgarh High Court (Appeal to Division Bench Act, 2006, the appellant / writ petitioner has challenged the order dated 13.04.2021 passed by learned Single Judge in WPC No. 3939 of 2019 (*Shree Engineers and Builder Private Limited Vs. State of Chhattisgarh & others*) and the matter is still subjudice.
3. Shri Anoop Majumdar, learned counsel, appearing on behalf of the intervenors submitted that on 19.08.2021 a Co-ordinate Bench of this Court has passed an interim order for demarcation of the area allotted to the petitioner be demarcated in his presence on 6th September, 2021 and the appellant shall cooperate at the time of demarcation. He further submitted that the report of the authority concerned with respect to the demarcation proceeding has already been brought on record and he is aggrieved by the said report.
4. As the present appeal is presented against an interim order and the matter is still subjudice before the learned Single Judge, the same is not maintainable in view of Section 2 (1) of the Chhattisgarh High Court (Appeal to Division Bench) Act, 2006. Accordingly, the present appeal is **dismissed as not maintainable**.



5. So far as report with respect to demarcation is concerned, the intervenor is at liberty to take recourse to law before the learned Single Judge.
6. Shri Nishikant Sinha, learned counsel for the appellant / writ petitioner has also drawn attention of the Court with respect to the 29.09.2021 passed by Co-ordinate Bench of this Court in the present appeal.
7. The said issue shall also be considered by the Writ Court after hearing the necessary parties.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice