



2026:CGHC:23590



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2798 of 2026**

Ramprasad Rahi S/o Shri Kapilram Rahi, Aged About 50 Years,
Resident of Village- Misda, Tehsil Shivrinarayan, District- Janjgir -
Champa (C.G.)

... Petitioner(s)**versus**

- 1 - State Of Chhattisgarh Through Secretary Department of Revenue and Disaster Management, Mahanadi Bhawan, Nawa Raipur, Atal Nagar Raipur District- Raipur Chhattisgarh**
- 2 - Commissioner Bilaspur Division Bilaspur Chhattisgarh**
- 3 - Collector Janjgir-Champa District- Janjgir-Champa Chhattisgarh**
- 4 - Executive Engineer Hasdeo Water Management Division Janjgir- District Janjgir-Champa Chhattisgarh**
- 5 - Sub- Divisional Officer (Irrigation) Janjgir Branch Canal Sub Division No.3, Birra, District- Janjgir-Champa Chhattisgarh**
- 6 - Tahsildar / Naib Tahsildar Tehsil Shivrinarayan, District Janjgir- Champa Chhattisgarh.**



7 - Usha Bai Sahu W/o Siyaram Sahu, Aged About 52 Years, Resident of Village - Misda, Tehsil Shivrinarayan District- Janjgir-Champa Chhattisgarh

... Respondent(s)

(Cause Title downloaded from CIS Periphery)

For Petitioner(s) : Mr. Raj Kumar Sahu, Advocate

For Respondent(s) : Mr. SS Choubey, Government Advocate

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

04/06/2026

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

(i) That, the Hon'ble Court may kindly be pleased to quash the impugned notice dated 27.05.2025 (Annexure P-1) passed by the Respondent No. 6, in the interest of justice.

(ii) Any other relief, which the Hon'ble Court may deem fit and proper in the facts and circumstances of the case may also be granted in favour of the petitioner.

3. Learned counsel for the petitioner submits that against the order dated 7.4.2026 passed by the Commissioner, Bilaspur Division, Bilaspur, regarding removal of encroachment, the petitioner has preferred a Revision under Section 50 of the CG Land Revenue



Code (in short “the Code”) before the Board of Revenue on 1.6.2026. He submits that along with the Revision, an application for interim stay has also been preferred, which is pending consideration. He further submits that while the stay application is yet to be decided by the concerned Board of Revenue, the Respondent- Naib Tehsildar, Shivrinaryan is proceeding to remove the encroachment pursuant to the notice dated 27.5.2026. Under such circumstances, the petitioner has filed this petition seeking interim protection so that until his Revision Petition is decided by the Board of Revenue, he may not be dispossessed and his construction may not be demolished.

4. Per contra, learned counsel for the State, on verification, submits that from the documents, it appears the petitioner has invoked the revisional jurisdiction of the Board of Revenue under Section 50 of the Code. A perusal of the order sheet further shows that the matter is already fixed for hearing on 8.6.2026 before the Board of Revenue for hearing of stay application filed by the petitioner.
5. Considering the aforesaid aspects of the matter and upon submissions advanced by learned counsel for the parties, this Court deems it appropriate to direct the concerned Naib Tehsildar not to take any coercive steps nor proceed further against the petitioner, till the application filed by the petitioner under Section 52 of the Code, pending before the Board of Revenue, is decided. Ordered accordingly.
6. Furthermore, the petitioner is directed to diligently pursue the



subject Revision Petition as well as the interim application filed under Section 52 of the Code before the Board of Revenue.

7. It is made clear that this Court has not expressed any opinion on the merits of the case, and this order has been passed solely on the ground that the matter is pending adjudication before the Board of Revenue, where the stay application filed by the petitioner is scheduled to be heard.
8. With the aforesaid observations/directions, the Petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay