



CGHC010277552026

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3736 of 2026****LAKHANLAL SAHU *versus* STATE OF CHHATTISGARH****Order Sheet**

16/07/2026	Mr. Syed Afaque Hussain Rizvi, counsel for the petitioner. Mr. S. S. Choubey, G.A. for the State. Issue notice to the respondents. Learned State counsel accepts notice on behalf of respondents No. 1, 2, 3 & 6/State. Therefore, issuance of notice to him is dispensed with. Issue notice to respondents No. 4, 5, 7 & 8 on payment of process fee through ordinary as well as speed post. PF and copies within seven days.

Humdust service is also permissible.

Learned counsel for the petitioner submits that the impugned eviction notice has been issued by the concerned Gram Panchayat, which has no jurisdiction or statutory authority to initiate such proceedings or issue an eviction notice. It is contended that under the applicable provisions of law, any proceedings for eviction from Government land can be initiated only by the competent Revenue Authority, not below the rank of Tahsildar. Therefore, the impugned notice, having been issued by an authority lacking jurisdiction, is *ex facie* without authority of law and is liable to be stayed.

On the other hand, learned State counsel opposes the prayer for grant of interim relief.

Heard on I.A. No. 1 of 2026, an application for grant of interim relief/stay.

Considering the facts and circumstances of the case, and taking into consideration the *prima facie* material available on record, this Court is of the opinion that the petitioner has made out a *prima facie* case for

grant of interim protection. Accordingly, purely as an interim measure and without expressing any opinion on the merits of the case, it is directed that the effect and operation of the impugned eviction notice dated 09.07.2026 is hereby stayed till the next date of hearing.

In the meantime, learned counsel for the State is directed to file the reply.

Sd/-

(Amitendra Kishore Prasad)
Judge