



2026:CGHC:8727

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

REVP No. 355 of 2025

- 1 - Ramlal Nayak S/o Late Shri Bhojnath Nayak Aged About 74 Years**
R/o- Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).
- 2 - Sahdev S/o Dilsai Aged About 54 Years R/o Ward No. 12**
Pathalgaon, Tahsil And District- Jashpur (C.G.).
- 3 - Shambhoo Ram Baghel S/o Kulkit Ram Baghel Aged About 70 Years**
R/o Ward No.2 Pathalgaon, Tahsil And District- Jashpur (C.G.).
- 4 - Vijay Tirkey S/o Chandu Tirkey Aged About 44 Years R/o Ambikapur**
Road, Bandiyakhar, Pathalgaon, Tahsil Pathalgaon District- Jashpur
(C.G.).
- 5 - Mohan Sidar S/o Late Santosh Sidar Aged About 20 Years R/o**
Dhoditikra Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).
- 6 - Lalit Kumar Baghel S/o Sunder Sai Aged About 35 Years R/o**
Ambedkar Nagar Pathalgaon, Tahsil Pathalgaon, District- Jashpur
(C.G.).
- 7 - Himchand Baghel S/o Lala Aged About 70 Years R/o Ambikapur**
Road, Ward No. 02, Pathalgaon, Tahsil Pathalgaon, District- Jashpur
(C.G.).

8 - Pradeep Tirkey S/o Shaniram Tirkey Aged About 46 Years R/o Baliyakhar Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).

9 - Ravindra Gupta S/o Laxminarayan Gupta Aged About 44 Years R/o Purani Basti Pathalgaon Tahsil Pathalgaon, District- Jashpur (C.G.).

10 - Harikishun Bhagat (Deleted) As Per Hon,ble Court Order Dated 02-02-2026

11 - Susanna Bhagat S/o Sindhal Ram Aged About 61 Years R/o Baliyakhar Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).

12 - Nita Tigga W/o Javiyar Tigga Aged About 38 Years R/o Ambedkar Nagar Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).

13 - Geeta Bhagat W/o Shital Bhagat Aged About 47 Years R/o Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).

14 - Magdalena Ekka D/o Benedik Ekka Aged About 62 Years R/o Pathalgaon, Tahsil Pathalgaon, District- Jashpur (C.G.).

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary Department Of Revenue, Department Mantralaya Bhawan, Naya Raipur (C.G.)

2 - State Of Chhattisgarh Through- Secretary Department Of Public Works Department, Department Mantralaya Mahanadi Bhawan, Naya Raipur (C.G.).

3 - Collector Jashpur District Jashpur, Chhattisgarh

4 - Sub Divisional Officer (Revenue) And Land Acquisition Officer,
Pathalgaon, District- Jashpur, Chhattisgarh.

5 - National Highway Authority Through- Project Director, Project
Execution Unit Shankar Nagar, Patthalgaon, Pathalgaon, District-
Jashpur (C.G.).

6 - Chief Executive Engineer, Public Works Department, Jashpur
District- Jashpur (C.G.).

... Respondent(s)

For Petitioner(s)	: Mr. Ajeet Kumar Yadav, Advocate
For State	: Mr. Rishi Raj Pithawa, Dy. G.A.
For Respondents	: Mr. Tushar Dhar Diwan, CGC

Hon'ble Shri Justice Arvind Kumar Verma

Order on Board

18/02/2026

1. The present petition has been filed seeking review/recall of the order dated 16.09.2025 passed by this Court in WPC No. 2829 of 2024 (Ramlal Nayak and Others vs. State of C.G. and Others), whereby the writ petition was dismissed as having become infructuous.
2. Learned counsel for the petitioners submits that during the pendency of the writ petition, owing to certain corrections in the acquisition notification, an application for withdrawal was filed only on behalf of petitioner No. 10. However, the writ petition was not

intended to be withdrawn on behalf of the remaining petitioners. It is further submitted that on 16.09.2025, when the matter was taken up, learned counsel for the petitioners was engaged before another Bench and, therefore, could not appear when the case was called. Consequently, the writ petition came to be dismissed as having become infructuous.

3. It has also been contended that the order dated 16.09.2025 records the appearance of one Mahesh Kumar Mishra, Advocate, though no Vakalatnama had been filed by him in the matter, nor was he authorized to appear on behalf of the petitioners.
4. Learned State counsel and counsel for the respondents have raised formal objections to the prayer for review/recall.
5. Having considered the submissions made by learned counsel for the parties and on perusal of the record, it is evident that the application for withdrawal was confined only to petitioner No. 10. There is nothing on record to indicate that the remaining petitioners had intended to withdraw the writ petition or that the lis had otherwise become infructuous in respect of them.
6. It further appears that the dismissal of the writ petition as having become infructuous occurred in the absence of the counsel for the petitioners and without adjudication on merits. In the interest of justice and to afford an opportunity to the remaining petitioners to have their case decided on merits, this Court is of the considered

opinion that sufficient cause has been shown for recall of the order dated 16.09.2025.

7. Accordingly, the review/recall petition is allowed. The order dated 16.09.2025 passed in WPC No. 2829 of 2024 is hereby recalled. The writ petition is restored to its original number.

Sd/-

(Arvind Kumar Verma)

JUDGE

Madhurima