



HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

WP227 No. 1091 of 2025

HEMANT KUMAR & Ors. **versus** SATPAL SINGH CHAWLA & Ors.

31/10/2025	Shri B.P. Sharma, Advocate and Shri Sameer Uraon, Advocate for the petitioners. Shri Topilal Bareth, P.L. for the respondent/State accepts notice. Heard on admission. Issue notice to the private respondents on payment of process fee by ordinary and speed post mode within a period of seven working days, failing which, this writ petition shall stand dismissed without further reference to the Court. Since the State counsel has already accepted notice, PF as regards State /Respondent No. 1 need not be paid. Registry has pointed out defect that one Smt. Prem Sundari is not arrayed as party in the cause title of the writ petition. Learned counsel for the petitioners submits that said Smt. Prem Sundari has already passed away, which has also been mentioned in paragraph 8.8 of the writ petition. Therefore for the present default pointed out by the Registry is ignored at the prayer of the petitioner's

counsel.

Also heard on I.A. No.01/2025 application for grant of Ad-Interim Relief.

Learned counsel for the petitioners submits that the disputed property in this writ petition is comprised part of Khasra No.701/2 area 1.18 hectares, khasra No. 426/18 area 1.94 hectares, khasra No. 426/1-ग area 0.60 hectares, khasra No. 627 area 2.86 hectares, khasra No. 426/1-ख area 1.00 hectares, khasra No. 699 area 0.70 hectares, khasra No. 651 area 0.40 hectares, khasra No. 700 area 1.38 hectares, khasra No. 624 area 0.36 hectares, khasra No. 631 area 1.19 hectares and khasra No. 93 area 0.46 hectares. Total Khasra 11 and total area 12.07 hectares. The said land was recorded in the name of father of the petitioner Late Tikamchand Jain who died on 09/02/1993. Thereafter, the petitioners made applications before the Settlement Officer, Mahasamund for mutating their name in the said Lands. After conducting an inquiry, the Settlement Officer, Mahasamund passed an order dated 25/05/1995 and directed the name of the petitioners mutated in the revenue records of the said property. Assailing the same, Niranjana Singh filed First Appeal before the Settlement Officer, Raipur which was dismissed being barred by limitation vide order dated 28/09/1996. Said Niranjana Singh filed an appeal on 26/11/1996 before the Commissioner, Gwalior which was remained pending before it. After reorganization of the State of Madhya Pradesh, the said appeal came to be transferred in State of Chhattisgarh and was decided by Court of Commissioner, Land Record, Chhattisgarh, Raipur vide its order dated 19/09/2016,

Ashish	dismissing the same on account of limitation affirming the order passed by the Settlement Officer, Mahasamund and Settlement Officer, Raipur. During the pendency of the litigation, Niranjana Singh passed away. Later on revision was preferred by the legal representative of Niranjana Singh before the Revenue Board, Bilaspur, Chhattisgarh, Circuit Court, Raipur. By the impugned order dated 24/09/2025, the Board of Revenue has decided the case on merits whereas the dispute before the Board of Revenue was only with respect to the order passed by the authorities below rejecting the appeal of Niranjana Singh on jurisdiction being barred by the limitation, which is not correct. However, the Board of Revenue instead of deciding only that issue proceeded to decide the case on merits which is not permissible. Learned counsel for the State submits that the State is a formal party as the dispute is purely between the petitioners and the private respondents. After hearing the learned counsel for the parties and perusing the records, this Court is of the opinion that the petitioners have made out prima-facie case for interim relief. Therefore, till next date of hearing the status-quo with regard to subject property is directed to be maintained by the parties. List this case in the week commencing 15th December, 2025. Sd/- (Sachin Singh Rajput) Judge
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