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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 178 of 2023

- 1 - Kavita D/o Late Dukhraj Aged About 35 Years R/o Village Tatapani, Tahsil Balrampur P.S. Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.
- 2 - Bulaki S/o Late Harvans Aged About 63 Years R/o Village Tatapani, Tahsil Balrampur P.S. Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.
- 3 - Saheba S/o Late Harvans Aged About 65 Years R/o Village Tatapani, Tahsil Balrampur P.S. Ramanujganj District Balrampur Ramanujganj Chhattisgarh.

--- **Petitioners**

versus

- 1 - State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya Atal Nagar, Raipur, District : Raipur, Chhattisgarh
- 2 - The Collector, Balrampur - Ramanujganj District Balrampur Ramanujganj Chhattisgarh.
- 3 - The Sub Divisional Officer (Revenue) Ramanujganj Division, District Balrampur Ramanujganj Chhattisgarh.
- 4 - The Tahsildar, Balrampur District Ramanujganj Chhattisgarh.
- 5 - Secretary, Gram Panchayat Tatapani, Janpad Panchayat Balrampr, District Balrampur Ramanujganj Chhattisgarh.

--- **Respondents**

WPC No. 357 of 2023

- 1 - Ajay Minj S/o Late Pradeep Minj, Aged About 30 Years R/o Village Tatapani, Tahsil - Balrampur P.S. - Ramanujganj, District - Balrampur - Ramanujganj, Chhattisgarh.

---Petitioner

Versus

1 - State Of Chhattisgarh Through - The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

2 - The Collector, Balrampur - Ramanujganj, District Balrampur - Ramanujganj, Chhattisgarh.

3 - The Sub Divisional Officer (Revenue) Ramanujganj Division, District Balrampur - Ramanujganj, Chhattisgarh.

4 - The Tahsildar, Balrampur District Balrampur - Ramanujganj, Chhattisgarh.

5 - Secretary, Gram Panchayat Tatapani, Janpad Panchayat Balrampur, District Balrampur - Ramanujganj, Chhattisgarh.

--- Respondents

For Petitioner	: Ms. Kusum Lalchandani, Advocate appears on behalf of Mr. Akath Kumar Yadav, Advocate
For State	: Mr. Amit Nayak, PL

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

15/10/2026

1. For the sake of convenience, W.P.C. No. 178/2023 is treated as the lead case for the purpose of disposing of both writ petitions.
2. This Writ Petition has been filed against the inaction on the part of Respondent No.4, Tehsildar who despite the directions issued to him by the Collector, Balrampur Ramanujganj in respect of grant of land in favour of petitioner, has failed to hand over the possession to the petitioner since 2018.
3. Brief facts of the case are that on 29.11.2016 an order was passed by the respondent no.3 in respect of petitioner's land which has been acquired for the purpose of road construction and in exchange of that land which

is used for road construction, the government has assured to give the land in village Tatapani and Bhanora. After passing of the order, it has been sent to the respondent no.2 for confirmation. On 11.01.18, Respondent No.2 has perused the recommendation from the respondent no.3 & 4 and passed order dated 11.01.18 stating categorically that as per the recommendation from respondent no.4, the government land situated in village Tatapani which is recorded as Jhadi Jungle and the land in village Bhanora is recorded as "Parti Bhoomi" is recorded as Bhoomi Swami in the name of petitioner as per Surguja Settlement 1944. On 29.06.16, Tahsildar Balrampur has issued advertisement for inviting objections from the general public of that locality and thereafter when no objection was received to office of the respondent no.4 and thereafter, no objection has been received from the office of gram panchayat Tatapani. Sub Registrar Balrampur has issued valuation report of that land thereafter as per the law envisaged in C.G. Land Revenue Code, 1959 under Section 234 the land has been exchanged and as per law 2% of land of gram panchayat Tatapani has been left for Gochar and the remaining land which has been allotted in the name of petitioner has been executed and direction has been given to respondent no.3 & 4 to demarcate the land and give physical possession to the petitioner. As per Form B-1 Kistband Khatauni, the name of the petitioner has been mentioned and the area has been clearly mentioned as 1.03, 0.22, 0.75. The petitioner along with other villagers have jointly moved an application before the respondent no.2 raising their grievances on 30.12.21, 07.09.22, 28.11.20, 17.02.21, 14.02.19 and stating that the

land which has been acquired by the Administration in exchange of their own land and for giving physical possession to them otherwise they will get back the land of their own. On 31.12.21, Respondent no.3 has issued official correspondence to respondent no.4 regarding their lands which has been acquired by the administration for the purpose of road construction and if the possession of the land has not been given, they will be compelled to strike against the administration and demanded their own land for their cultivation.

4. Learned counsel for the petitioner submits that even after passing of order dated 11.01.2018 by the Collector, Balrampur Ramanujganj whereby it has been directed to Tehsildar Balrampur to hand over the possession of the land bearing Khasra No.231, rakba 0.22 situated at village Tatapani and land bearing Khasra No.232, rakba 0.75 hectare and Khasra No.3, rakba 1.03 hectare situated at village Tatapani in favour of the petitioner, however, till date the said order has not been complied with though the same has not been challenged before any other authority.
5. Learned State counsel submits that since the order has already been passed by the Collector, as such, the Tehsildar may be directed to hand over the possession of the said land to the petitioner within a stipulated period.
6. Having heard learned counsel for the parties and having perused the order dated 11.01.2018, it is evident that by the said order, on account of exchange of land of petitioner for construction of road, Collector Balrampur Ramanujganuj has directed Tehsildar Balrampur to hand over

the possession of land bearing Khasra No.231, rakba 0.22 hectare situated at village Tatapani and land bearing Khasra No.232, rakba 0.75 hectare and Khasra No.3, rakba 1.03 hectare situated at village Tatapani in favour of the petitioner, which according to the parties herein has not been challenged before any higher authority, as such, the same has attained finality and since the order was passed in the year 2018, as such, Tehsildar Balrampur is directed to comply with the order dated 11.01.2018 passed by the Collector, Balrampur Ramanujganj within a period of **30 working days from the date of receipt of a copy of this order.** However, if the order dated 11.01.2018 has been challenged before any other authority, the Tehsildar shall communicate the said information to the petitioner so that he may take appropriate legal recourse under the law for challenging the same.

7. It is made very much clear that if the Tehsildar fails to comply with this order, this Court will initiate *suo moto* contempt proceedings against him.
8. With the aforesaid observation/direction, these Writ Petitions are disposed of.

Sd/-
(Amitendra Kishore Prasad)
Judge