



2026:CGHC:24912

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 2417 of 2022

1 - Genddas Panika S/o Mangaldas, Aged About 62 Years R/o Village Pat Seoni,  
Tehsil Chhura, District Gariyaband (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi  
Bhawan, Nava Raipur, District Raipur (C.G.)

2 - Collector, Gariyaband (C.G.)

3 - Sub Divisional Officer, Gariyaband (C.G.)

4 - Tehsildar, Chhura, District Gariyaband (C.G.)

... Respondent(s)

|                       |   |                             |
|-----------------------|---|-----------------------------|
| For Petitioner        | : | Smt. Renu Kochar, Advocate. |
| For Respondent/ State | : | Shri Anmol Sharma, P.L.     |

Hon’ble Shri Justice Rakesh Mohan Pandey

Judgment On Board

19.6.2026

1) The petitioner has filed this petition seeking the following reliefs:

“10.1 That by this Writ petition the petitioner seeks to  
issue a writ of Mandamus from the Hon'ble High court

and direct the respondent authorities to decide the Revenue case no.8/A/56 Year 2014/15.

10.2 That this Hon'ble court may kindly be pleased to direct the respondent authority to reinstate the Petitioner with all consequential benefits.

10.3 That any other relief which this Hon'ble Court deems fit and proper may also be granted in favor of the petitioners safeguarding his interest.”

- 2)** Learned counsel for the petitioner would submit that initially the petitioner was appointed as Kotwar of Village Pat Seoni, Tehsil Chhura. He was placed under suspension on account of registration of a criminal case against him. She would submit that although the petitioner was convicted by the learned trial Court, he was subsequently acquitted by the High Court in Criminal Appeal No.2576 of 1999 vide judgment dated 2.12.2014. She would contend that the Tehsildar passed an order of reinstatement in favour of the petitioner on 13.9.2023. It is argued that order dated 13.9.2023 was challenged by the temporary Kotwar namely Roop Singh by filing WPS No.7672 of 2023 but the said petition was withdrawn on 10.2.2026 with liberty to prefer an appeal before the Appellate Authority. It is argued that the temporary Kotwar, Roop Singh has not preferred any appeal before the Revenue Authority pursuant to order dated 10.2.2026 but till date, the charge of Kotwar, Village Pat Seoni, has not been handed over to the petitioner. She would submit that the petitioner may be permitted to make a representation before respondent No.4 and in turn, the

said authority may be directed to take an appropriate decision expeditiously within a stipulated time.

- 3) On the other hand, learned counsel for the State would oppose the submissions made by counsel for the petitioner. He would submit that the petitioner has no right to claim reinstatement to the post of Kotwar as the temporary Kotwar is still working on the said post. He would further submit that liberty has been granted to the temporary Kotwar, Roop Singh, to prefer an appeal, and he may avail such liberty in the near future. Therefore, according to him, the present petition is misconceived and deserves to be dismissed.
- 4) I have heard learned counsel for the parties and perused the documents placed in the file.
- 5) As stated by learned counsel for the petitioner, the petitioner was appointed as the permanent Kotwar of Village Pat Seoni. On account of registration of a criminal case, he was placed under suspension. Subsequently, he was acquitted by the High Court in Criminal Appeal No.2576 of 1999 vide judgment dated 2.12.2014. The petitioner approached respondent No.4 for reinstatement and an order was passed in his favour on 13.9.2023 but till date, the charge has not been handed over to him. Though the temporary Kotwar namely Roop Singh challenged the order dated 13.9.2023 by filing a writ petition, the said petition was withdrawn with liberty to prefer an appeal. The petitioner being the permanent Kotwar of

Village Pat Seoni has a right to discharge the duties attached to the said post, and despite there being an order of reinstatement by respondent No.4, he has not been handed over the charge of Kotwar.

- 6) Taking into consideration the above-discussed facts, the petitioner is permitted to make a representation before respondent No.4 and in turn, the said authority is directed to decide the same strictly in accordance with law, preferably within a period of 90 days from the date of receipt of a copy of this order. While taking the decision, the concerned authority shall provide an opportunity of hearing to the temporary Kotwar, Roop Singh.
- 7) Accordingly, the writ petition is **disposed of**.

Sd/-

**(Rakesh Mohan Pandey)**  
JUDGE

Nimmi