



2026:CGHC:23935

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2523 of 2026

- Jhagar Das Mahant S/o Shri Dehari Das Mahant Aged About 60 Years R/o House No.99 Main Basti Naurangpur, Sarwani Distt.Raigarh (C.G.).

... Petitioner(s)

versus

- State Of Chhattisgarh Through The Secretary Department Of Revenue, Indrawati Bhawan, Atal Nagar Raipur ,district Raipur (C.G.).
- The Collector,raigarh District Raigarh (C.G.).
- The Sub Divisional Officer (Revenue) Raigarh District Raigarh (C.G.).
- The Tahsildar, Raigarh District Raigarh (C.G.).
- Tula Das S/o Dhanidas Aged About 57 Years R/o Village Sarwani District -Raigarh (C.G.).

... Respondent(s)

For Petitioner(s)	:	Mr. Rajendra Tripathi, Advocate.
For Respondent(s)/State	:	Ms. Anusha Naik, Dy. G.A.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

16/06/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

"i. That, this Hon'ble Court may kindly be pleased to set aside/ quashed order dated 08.04.2026 passed by the respondent no.3 The Sub Divisional Officer (Revenue), Raigarh, District Raigarh (C.G.).

ii. Cost of the petition may also be granted to the petitioners.

iii. Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted to the petitioners, in the interest of justice."

2. Brief facts of the case, is that, the petitioner was initially appointed as Kotwar of Village Sarwani vide Revenue Case No. 01/A-56/2007-08 dated 03.11.2007 and, upon satisfactory discharge of his duties, his appointment was duly confirmed by order dated 17.10.2008. It is further submitted that during the course of his service, the petitioner, in discharge of his official duties and in the larger public interest, lodged a complaint against Respondent No. 5 (erroneously referred to as Respondent No. 6 in certain records) by filing an application under Section 248 of the Chhattisgarh Land Revenue Code, 1959, pursuant to which

Revenue Case No. 08/A-70/2016-17 was registered. Upon conducting a detailed enquiry, the Nayab Tahsildar, Raigarh, found that Respondent No. 5 had grossly misused his official position and had illegally alienated Government-allotted service land in favour of private villagers. Consequently, by order dated 16.11.2018, the competent authority directed the eviction of the illegal occupants. It is further submitted that immediately after the initiation of the eviction proceedings, Respondent No. 5, acting in collusion with the encroachers, became hostile towards the petitioner and mobilized the affected villagers against him with a view to victimizing and harassing him for having exposed the illegal acts committed by Respondent No. 5. Thereafter, at the instance of Respondent No. 5 and on the basis of complaints procured from certain villagers, the Gram Panchayat passed a resolution against the petitioner, pursuant to which Respondent No. 3 issued a show cause notice to the petitioner. The petitioner duly submitted a detailed and comprehensive reply explaining the true facts and circumstances, denying all allegations levelled against him.

3. Learned counsel appearing for the petitioner submitted that the present petition challenges the order dated 08.04.2026 passed by the Sub-Divisional Officer (Revenue), District Raigarh, whereby the petitioner, who is serving as a Kotwar, has been placed under suspension. By the said order, the concerned Tahsildar has also been directed to conduct a detailed enquiry into the allegations

against the petitioner and, in the event it is found that the petitioner is ineligible to continue on the post of Kotwar, to initiate appropriate proceedings in accordance with law. It was further contended that the impugned order of suspension has been passed arbitrarily and without there being any cogent material or prima facie evidence against the petitioner. It was argued that the suspension order is contrary to the settled principles of law, suffers from non-application of mind, and has been issued without any legal justification.

4. Per contra, learned counsel appearing for the State submitted that an order of suspension is only an interim administrative measure and does not amount to a punishment. It was further contended that the Sub-Divisional Officer (Revenue) has merely directed the competent authority, namely the Tahsildar, to conduct a detailed enquiry into the allegations and to take appropriate action based on the outcome of such enquiry. Therefore, it was argued that the writ petition is devoid of merit and deserves to be dismissed.
5. Upon due consideration of the facts and circumstances of the case, this Court finds that the Sub-Divisional Officer (Revenue), while placing the petitioner under suspension from the post of Kotwar, has simultaneously directed the concerned Tahsildar to conduct a comprehensive enquiry into the allegations and thereafter pass an appropriate order in accordance with law. In view of the nature of the impugned order and the fact that the enquiry has yet to be concluded, this Court is not inclined to

interfere with the order of suspension at this stage in exercise of its writ jurisdiction. However, considering that the petitioner continues to remain under suspension, it is deemed appropriate to direct the concerned Tahsildar, District Raigarh, to conclude the enquiry expeditiously after affording the petitioner a full and effective opportunity of hearing and after strictly adhering to the principles of natural justice and due process of law. The Tahsildar shall thereafter pass a reasoned and speaking order in accordance with law within a period of four months from the date of receipt of a certified copy of this order.

6. It is made clear that this Court has not expressed anything on the merits of the case.
7. With the aforesaid direction, the writ petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)

Judge

Raghu Jat