



CGHC010263392024



2026:CGHC:37460

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3933 of 2024

Avinash Kumar Singh S/o Late Shri Vrinda Singh, R/o Namnakala, Ambikapur, Tehsil Ambikapur, District Surguja Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary Revenue and Disaster Management Department, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur Chhattisgarh.

2 - Nazul Tehsildar, Ambikapur District Surguja Chhattisgarh.

3 - Nazul Officer, Ambikapur District Surguja Chhattisgarh.

4 - Additional Collector, Ambikapur District Surguja Chhattisgarh.

5 - Collector Ambikapur District Surguja Chhattisgarh.

6 - District Allotment/ Arrangement Committee, Through Collector Ambikapur, District- Surguja Chhattisgarh.

... Respondent(s)

(Cause Title downloaded from CIS Periphery)

For Petitioner(s) : Mr. Divy Jha, Advocate on behalf of Mr. SS Marhas, Advocate

For Respondent(s) : Mr. Anand Dadariya, Dy. AG

Digitally signed by SHYNA AJAY Date: 2026.08.21 15:04:55 +0530

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

20/08/2026

1. By way of this petition, the petitioner seeks the following reliefs :

10.1 Call for records pertaining to the case of the Petitioner;

10.2. Issue appropriate writ, order or direction quashing the order dated 23.07.2024 passed by Respondent No.5 and consequential order dated 23.07.2024 passed by Respondent No. 2 in case no. 98/A-20(1)/2023-24 Avinash Kumar Singh Vs. State of Chhattisgarh (Annexure P/2 (Colly.);

10.3. Issue appropriate writ, order or direction quashing the ejectment order dated 23.07.2024 (Annexure P/1) passed by Respondent No. 2 against the Petitioner;

10.4. Issue appropriate writ, order or direction declaring the order dated 23.07.2024 (Annexure P/6) passed by Respondent No. 1 department is not applicable to the pending application of the petitioner for allotment/ arrangement preferred before 23.07.2024 and/or direct the respondent authorities to reconsider the application of petitioner for allotment/ arrangement under the old allotment/arrangement policy which was existing prior to 23.07.2024;

10.5. Issue appropriate writ, order or direction directing the Respondent Authorities to pay compensation to the tune of Rs. 80,00,000/- (Eighty Lakhs) for demolition of property of petitioner;

10.6. Any other writs and directions that may be deemed fit and just in the facts & circumstances of case.

2. Learned counsel for the petitioner submits that on 23.7.2024, the concerned Nazul Tehsildar, Ambikapur, District Sarguja passed an adverse order against the petitioner, pursuant to which an eviction order was passed on the same day and a portion of the house in question was demolished. As a result, the petitioner rushed to this Court and vide interim order dated 1.8.2024, this Court directed the respondent authorities not to take any coercive steps of demolition with respect to remaining portion of construction of the petitioner. Thus, the further proceedings have been kept in abeyance and the petitioner continues to remain in occupation of the subject property by virtue of the interim order 1.8.2024.
3. On the other hand, learned counsel for the State submits that the petitioner ought to have challenged the order dated 23.7.2024 before the appropriate authority. Having failed to do so, the present writ petition is not maintainable due to the availability of an alternative remedy.
4. Considering the facts and circumstances of the case, particularly considering the fact that against the order dated 23.7.2024 passed by the Nazul Tehsildar, Ambikapur (CG), an alternative remedy of appeal/revision is available under the law, this Court deems it appropriate to direct the petitioner to file an appropriate appeal/revision in accordance with law before the concerned authority within a period of 15 days from today. Upon such filing, the concerned authority shall consider and decide the same on its own merits, preferably within a period of 90 days thereafter.

5. Till then, the interim order dated 1.8.2024 passed by this Court in favour of the petitioner, shall continue.
6. With the aforesaid observations/directions, the Petition is finally disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay