



CGHC010281342026



2026:CGHC:31914

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 3874 of 2026**

1 - Sarhu Alias Sarju Nishad S/o Buturam Nishad, Aged About 56 Years
R/o Village Mutpuri, Post - Mau, Tahsil And District Bemetara
Chhattisgarh (Name Of Petitioner No. 1 Is Correctly Mentioned)

2 - Bipat Ram Nishad S/o Sarhu Alias Sarju Nishad Aged About 36
Years R/o Village Mutpuri, Post - Mau, Tahsil And District Bemetara
Chhattisgarh

3 - Raju Nishad S/o Bipat Ram Nishad, Aged About 18 Years R/o Village
Mutpuri, Post - Mau, Tahsil And District Bemetara Chhattisgarh

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Revenue Department,
Mantralaya, Nava Raipur, Atal Nagar, District Raipur Chhattisgarh

2 - Collector District Bemetara Chhattisgarh

3 - Sub Divisional Officer (Revenue) Bemetara, District Bemetara
Chhattisgarh

4 – Tehsildar, Tahsil Bemetara, District Bemetara Chhattisgarh

5 - Gram Panchayat Mutpuri Through Its Secretary Gram Panchayat Mutpuri, Tahsil And District Bemetara Chhattisgarh

... Respondent(s)

For Petitioner(s) : Mr. Sumit Shrivastava, Advocate

For Respondent(s) : Mr. Soumitra Kesharwani, Panel Lawyer

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

27/07/2026

1. By way of this petition, the petitioners seek the following reliefs :

10.1 That this Hon'ble court may kindly be please to call for the entire records from tehsildar/ naib tehsildar AND from gram panchayat mutpuri related to Khasra no. 92 pond construction earlier proceeding of encroachment on it and with regard to present case for kind perusal of this Hon'ble court.

10.2 Direct respondents to ensure that the petitioner's access road to his agricultural lands is not obstructed in any manner and to stop and remove any construction found to be unauthorized or contrary to law;

10.3 Direct the respondents to maintain and preserve the existing access pathway available to the petitioner and his family members leading to agricultural lands bearing Khasra Nos. 144/1, 143, 165/1, 165/2, 144/2,

144/3, 144/4 and 163 and not to undertake any activity which obstructs ingress and egress to the said lands.

10.4 Direct respondent revenue authorities to consider and decide the petitioner's representations within a time-bound period

10.5 Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

2. Learned counsel for the petitioner submits that the subject Nistari Government land is being encroached by the concerned Gram Panchayat by digging a pond thereon. He submits that this act prejudices the rights of the entire village by obstructing access across the said Nistari land, which serves as a pathway for the petitioners and other villagers to reach the other side. As such, the petitioners have filed a representation/objection dated before the concerned Tehsildar on 8.6.2026. However, the said representation is yet to be decided. In the meantime, the Sarpanch and other officials of the Gram Panchayat, Mutpuri have commenced digging the pond.
3. Learned counsel for the State submits that since a representation/objection has already been filed before the concerned Tehsildar, the said authority shall consider and decide the same in accordance with law within a stipulated period.
4. Heard learned counsel for the parties and also perused the documents annexed with the petition.
5. Considering the fact that a representation has already been filed

before the concerned Tehsildar, this Court deems it appropriate to direct the concerned Tehsildar to to consider and decide the same in accordance with law, after affording a due opportunity of hearing to the parties concerned expeditiously, preferably within a period of 30 days from the date of receipt of a copy of this order. Ordered accordingly.

6. With the aforesaid observations/directions, the Petition is finally disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Shyna Ajay