



2026:CGHC:26935

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4531 of 2022

1 - Manish Dixit S/o Late Jagdish Prasad Dixit, Aged About 52 Years
R/o City Kotwali Chowk, Gole Bazar, Bilaspur, Tahsil And, District :
Bilaspur, Chhattisgarh

... Petitioner(s)

versus

- 1 - State Of Chhattisgarh Through The Secretary, Department Of
Revenue, Mahanadi Bhawan, Atal Nagar, New Raipur.
- 2 - The Collector, District Bilaspur Chhattisgarh.
- 3 - The Tahsildar, Tahsil Bilaspur, District : Bilaspur, Chhattisgarh
- 4 - The Revenue Inspector, R.I. Circle Mopka, Tahsil And, District :
Bilaspur, Chhattisgarh

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Sunil Kumar Soni, Advocate
For State/Respondents	:	Mr. Anadi Sharma, P.L.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

01/07/2026

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

“10.1 The Hon'ble Court may kindly be pleased to issue appropriate writ/writs, direction/directions, order/orders to set-aside the order dated 25-05-2022 (Annexure P-4) passed by Tahsildar, Bilaspur, in Revenue Case No. 202203072500328/A-12/2021-22 and further be pleased to direct them to consider the objection of the petitioner filed on 09-05-2022 afresh after giving him the opportunity of hearing.

10.2 That, the Hon'ble Court may kindly be pleased to issue appropriate writ/writs, direction/directions, order/orders to quash the demarkation report dated 27-04-2022 and to direct the respondent authorities to demarkate the land of the petitioner afresh as per the

provisions of Section 129 of the C.G. Land Revenue Code, 1959, Chhattisgarh Bhu Abhilekh Niyamawali and the observation made in order dated 15-11-2019 passed in W.P.C. No. 1134/2019 by the Hon'ble Court, within the stipulated time and submit their demarkation report before the Tahsildar, Bilaspur.

10.3 Any other relief, which the Hon'ble Court deems fit looking to the facts and circumstances of the case, may also be granted to the petitioner.”

3. Learned counsel for the petitioner submits that the impugned order dated 25.05.2022 and the demarcation report are arbitrary, illegal, and contrary to Section 129 of the Chhattisgarh Land Revenue Code, 1959, and the Rules framed thereunder. It is submitted that the revenue authorities failed to carry out a proper demarcation of the petitioner's land, ignored the revenue records, did not identify the encroachment and rejected the petitioner's objections without due consideration. It is further submitted that the Tehsildar passed the impugned order in a hurried manner even before the date fixed for hearing, thereby violating the principles of natural justice. Accordingly, it is prayed that the impugned order and the demarcation report be quashed and the

respondent authorities be directed to undertake a fresh demarcation strictly in accordance with law.

4. On the other hand, learned State counsel supports the impugned order and the demarcation report, submitting that the demarcation was conducted by the competent revenue authorities in accordance with the provisions of the Chhattisgarh Land Revenue Code, 1959 and the Rules framed thereunder. It is further submitted that no illegality or procedural irregularity has been committed warranting interference by this Court, and therefore, the petition deserves to be dismissed.
5. From perusal of the record, it appears that the concerned Tehsildar has passed an order stating that there is no possibility of demarcating the land belonging to the petitioner on the ground that the area recorded in the revenue records is less than the area claimed by the petitioner and, therefore, demarcation is not possible. Though the petitioner ought to have preferred an appeal against the said order before the Sub-Divisional Officer (Revenue) under Section 44(1) of the Chhattisgarh Land Revenue Code, 1959, but since the matter has been pending since the year 2022, this Court, in the interest of justice, instead of relegating the petitioner to the appellate authority, directs the concerned Tehsildar to pass an appropriate order in accordance with law after affording due opportunity of hearing to the petitioner as well as the adjoining landholders. If it is found that any person has made any encroachment or unauthorized road over the adjoining

land, such person shall be identified and notices shall be issued to him. Thereafter, after affording due opportunity of hearing to all the concerned parties, the Tehsildar shall pass a fresh order in accordance with law. Accordingly, the order dated 25.05.2022 is hereby quashed.

6. The petitioner is directed to appear before the concerned Tehsildar within a period of 10 days from the date of receipt of a copy of this order and shall file an appropriate application annexing a copy of this order. Upon such application being filed, the concerned authority shall consider the same and pass an appropriate order with regard to the demarcation of the petitioner's land in accordance with law.

7. Accordingly, the petition stands **disposed of**.

Sd/-

(Amitendra Kishore Prasad)

Judge