

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2737 of 2016

- Smt. Sumitra Devi Wd/o Late Varun Kumar Pandey Aged About 56 Years R/o Village Parchanpal, Tahsil Jagdalpur, District Baster, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector Bastar, Jagdalpur, District Bastar, Chhattisgarh
2. Gram Panchayat Mahupal Barai Village Parachanpal, Tahsil Jagdalpur, District Bastar, Chhattisgarh
3. Commissioner, Bastar Division, Jagdalpur, District Bastar, Chhattisgarh
4. Sub Divisional Officer (R), Bastar, Jagdalpur, District Bastar, Chhattisgarh

---- Respondents

For Petitioner	Shri S. Bajpai, Advocate
For Respondent-State	Shri A. S. Kachhawaha, Addl. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/11/2016

1. The order under challenge has been passed by the Commissioner, Bastar Division, Jagdalpur. The matter had earlier travelled up to the Board of Revenue and thereafter WPC No.21/2007 was preferred before this Court, which was decided on 17.02.2011 remitting the matter back to the SDO (Revenue), Bastar for decision afresh after affording opportunity to the parties.

2. When the matter was earlier agitated before the Board of Revenue, there is no reason why in the second round of litigation, the petitioner should be permitted to directly approach this Court against the order passed by the Commissioner, Bastar Division without availing the remedy available to her before the Board of Revenue.
3. The writ petition is therefore dismissed as not maintainable, however, the petitioner may avail the alternative remedy available before the Board of Revenue within a period of 30 days from today.
4. Certified copy of the impugned order be returned to the petitioner on submission of xerox copy thereof.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala