

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 454 of 2018

- Shyam Kumar S/o Shri Ratan Singh Chandra Aged About 35 Years R/o Village Satgarh, Tahsil Malkharoda, District Janjgir Champa Civil And Revenue District Janjgir Champa Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Through Collector , Raigarh District Raigarh Chhattisgarh
2. Sub Divisional Officer , (Revenue) Raigarh District Raigarh Chhattisgarh
3. Tahsildar Raigarh District Raigarh Chhattisgarh

---- Respondents

For Appellant	:	Shri MK Sinha, Advocate
For Respondents/ State	:	Shri PN Bharat, Additional Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Justice Sharad Kumar Gupta

Judgment on Board

Per Thottathil B. Radhakrishnan, Chief Justice

02.05.2018

1. We have heard the learned counsel for the appellant/Writ Petitioner and the learned Additional Advocate General.
2. The Writ Petitioner challenged the cancellation of mutation. The learned Single Judge found that the said order was appealed against and the appellate order is revisable under Section 50 of the Chhattisgarh Land Revenue Code. In view of the availability of such alternate statutory remedy, we cannot but concur with the learned Single Judge that the appellant has to take recourse to that rather than invoke Writ jurisdiction. We do not find any infirmity or legal error in the discretion exercised by the learned Single Judge in refusing to interfere under Article 226 of the

Constitution of India, on the facts and in the circumstances of the case.

This Writ appeal, therefore, fails.

3. Accordingly this appeal is dismissed without prejudice to the other proceedings as indicate in the Writ Petition.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge

padma