

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 448 of 2019

- Suresh, S/o Mr. Baldev Thakur, Aged About 47 Years, R/o House No.81, Shitlapara, Arandi, Keshkal Kondgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Ministry Of Rural Administration and Development, Mahanadi Bhavan, Capitol Complex, Naya Raipur, Chhattisgarh
2. Collector, District- Kondgaon, Chhattisgarh
3. Tehsildar, Tehsil Office Keshkal, District- Kondagaon, Chhattisgarh

---- Respondents

WPC No. 450 of 2019

- Dinesh Thakur, S/o Mr. Bisahu Ram, Aged About 55 Years, R/o Bajarpara, Arandi, Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Ministry Of Rural Administration and Development, Mahanadi Bhavan, Capital Complex, Naya Raipur, Chhattisgarh
2. Collector, District Kondagaon, Chhattisgarh
3. Tehsildar, Tehsil Office Keshkal, District Kondagaon, Chhattisgarh

---- Respondents

WPC No. 451 of 2019

- Tareshwar Prasad Naag, S/o Mr. Devlal (Wrongly Mentioned S/o Baldev) Aged About 42 Years, R/o House No.80, Bajarpara, Arandi, Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Ministry of Rural Administration and Development, Mahanadi Bhavan, Capital Complex, Naya Raipur, Chhattisgarh
2. Collector, District Kondagaon, Chhattisgarh
3. Tehsildar, Tehsil Office Keshkal, District Kondagaon, Chhattisgarh

---- Respondent

WPC No. 455 of 2019

- Madhu Singh Thakur, S/o Mr. Hari Singh, Aged About 35 Years, R/o House No.22, Bjarpara, Arandi, Kondagaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Ministry Of Rural Administration and Development, Mahanadi Bhavan, Capital Complex, Naya Raipur, Chhattisgarh
2. Collector, District - Kondagaon, Chhattisgarh
3. Tehsildar, Tehsil Office, Keshkal, Disrtict - Kondagaon, Chhattisgarh

---- Respondents

For Petitioners

Shri Raza Ali, Advocate

For Respondent-State

Shri Rahul Jha, GA and Shri Ashish Surana, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

18/02/2019

1. The impugned order is a notice for vacating the premises pursuant to an order passed by the Tahsildar, Keshkal, District Kondagaon in exercise of powers under Section 248 of the Chhattisgarh Land Revenue Code, 1959 (for short 'the Code, 1959').

2. Petitioner has not challenged the original order passed under Section 248 of the Code, 1959. In the absence of challenge to the said order, the only challenge to the subsequent notice for vacating the premises is not maintainable. Even otherwise, the petitioner has a remedy of preferring an appeal under Section 44 of the Code, 1959 to challenge the original order passed in exercise of powers under Section 248 of the Code, 1959. Let the petitioner avail the alternative remedy within a period of one month from today.
3. All the writ petitions are disposed of.

Sd/-
Prashant Kumar Mishra
Judge

Nirala