

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 441 of 2019**

Poshan Lal, S/o. Mr. Ghasiya Ram, Aged About 52 Years, R/o. House No. 13, Schoolpara, Arandi, Kondagaon, Chhattisgarh.

---- **Petitioner**

**Versus**

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

---- **Respondents**

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For Petitioner : Mr. Ankur Agrawal, Advocate

For State/Respondents : Mr. Rahul Jha, Govt. Advocate

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**Hon'ble Shri Justice Goutam Bhaduri****Order On Board**

**09.07.2019**

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. With the aforesaid observation, the writ petition stands disposed of.

Sd/-  
**Goutam Bhaduri**  
**Judge**