

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 351 of 2018**

*{Arising out of Order dated 12.02.2018 passed in Writ Petition (C) No. 128 of 2018 by
the learned Single Judge}*

Budhram S/o Pardeshi Sahu, aged about 45 years, R/o Pandripani, Tahsil Nagri,
District Dhamtari, Chhattisgarh.

---- Appellant**Versus**

1. Sudhlal S/o Pardeshi Ram Sahu, aged about 52 years, R/o Pandripani, Tahsil Nagri, District Dhamtari, Chhattisgarh.
2. Tahsildar, Nagri, District Dhamtari, Chhattisgarh.
3. The Collector, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondents

For Appellant	: Shri Kunal Das, Advocate.
For Respondent No. 2 and 3	: Shri Faiz Kazi, Panel Lawyer

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Prashant Kumar Mishra, Judge

Judgment on Board**Per P.R. Ramachandra Menon, Chief Justice****07/05/2019**

1. This writ appeal has been filed challenging the correctness and sustainability of the verdict passed by the learned Single Judge whereby interference has been declined holding that alternate remedy is available in terms of Section 44 of the Chhattisgarh Land Revenue Code, 1959 against the order passed by the District Collector, vide Annexure P/1.
2. We have heard learned counsel for the Appellant at length. We have gone through the proceedings as well.

3. It is seen that the merit of the case has not been adjudicated by the learned Single Judge and non-interference is only with reference to the availability of alternate remedy. The said discretion does not warrant any interference by this Court as no prejudice is caused to the Appellant who is at liberty to pursue further proceedings in accordance with law by approaching the competent forum. Interference is declined. Appeal is dismissed.
4. If, according to the Appellant, there is any error apparent on the face of the record, it is still open for the Appellant to get it corrected by filing appropriate proceedings by way of review or otherwise, in accordance with the relevant provisions of law and if it is otherwise sustainable.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Prashant Kumar Mishra)
JUDGE