

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3226 of 2019**

Kunwar Laxman Singh Shikshan Samiti, Janjgir, Through The President Shiv Bhanu Singh, S/o. Nem Singh Sisodia, Aged About 37 Years, R/o. Ward No. 25, Shanti Nagar, Janjgir District Janjgir – Champa, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Collector, District Janjgir - Champa Chhattisgarh.
3. Deputy Collector, Janjgir, District Janjgir - Champa Chhattisgarh.
4. Sub Divisional Officer, Janjgir, District Janjgir - Champa Chhattisgarh.
5. Tahsildar, Janjgir, District Janjgir - Champa Chhattisgarh.
6. The Municipality, Janjgir - Naila, Through Chief Municipal Officer, Janjgir - Naila, District Janjgir - Champa Chhattisgarh.
7. Commissioner, Bilaspur Division, Bilaspur, District Bilaspur Chhattisgarh.

---- **Respondents**

For Petitioner : Mr. Yogesh Chandra, Advocate

For State Respondents : Mr. Avinash Singh, Panel Lawyer

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

17.09.2019

Heard.

1. In the present petition, primarily the petitioner seeks to impugn the order passed by the Tahsildar under Section 248 of the C.G. Land Revenue Code, 1959, whereby the petitioner has been directed to vacate the land wherein they were held to be in illegal possession.
2. Learned counsel for the petitioner submits that by the order of remand by the Commissioner dated 09.10.2018, the application of petitioner to get a lease for allotment of the land is pending adjudication before the Collector, however, in the meanwhile the order of eviction has been passed by Tahsildar on 26.07.2019. It is stated if the order of Tahsildar is executed the

petitioner's application to get the land of which application is pending will become infructuous.

3. Perusal of the order by the Tahsildar would show it is under Section 248 of the Land Revenue Code. As such, the petitioner has an alternative remedy of filing appeal under Section 44 of the Land Revenue Code. There is no reason as to why statutory appellate alternative remedy is to be bypassed. In view of this, I am not inclined to entertain this petition. Accordingly, the petition is dismissed. The petitioner, if so advice, may avail alternative statutory remedy, which is available to him.
4. Registry is directed to return the certified copy of Annexure P-6 & P-7 to the petitioner after retaining the photocopy of the same.

Sd/-
Goutam Bhaduri
Judge