

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1106 of 2020

1. Ramdutt Mishra S/o Late Salik Ram Mishra Aged About 66 Years R/o Kachandur, Tahsil And District : Durg, Chhattisgarh

---- Petitioner

Versus

1. State of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. Commissioner Durg Division, District : Durg, Chhattisgarh
3. Collector Durg, District : Durg, Chhattisgarh

-----Respondents

For Petitioner	: Mr. Jitendra Gupta, Advocate
For State	: Mr. Jitendra Pali, Dy. Adv. General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.06.2020

1. The challenge in the present writ petition is to the impugned order dated 23.01.2020 (Annexure P-1) passed by the Commissioner-Durg, Division-Durg under the provisions of the Chhattisgarh Land Revenue Code, 1959.
2. At the outset, this Court is of the opinion that since the order is an appealable order and the appeal lies to the Board of Revenue under Section 44, the present writ petition is not maintainable on the ground that there being a statutory remedy available.
3. Accordingly, reserving the right of the petitioner with liberty to prefer a second appeal before the Board of Revenue, the writ petition stands dismissed as not maintainable. The writ petition accordingly stands

dismissed with the aforesaid liberty.

4. As prayed for by the counsel for the petitioner, subject to his furnishing the photocopy of the impugned order, the certified copy shall be returned-back to him.

**Sd/-
(P. Sam Koshy)
Judge**

Rahul