

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1633 of 2020**

1. Smt. Krishna Devi Jaiswal W/o Late Dinanath Jaiswal, Aged About 50 Years, R/o Mohlain Bhatha, Ward No. 8, Katghora, District Korba, Chhattisgarh
2. Netram Sharma S/o Gudan Ram Sharma, Aged About 52 Years, R/o House No. 109, Uparpara, Jurali, Katghora, District Korba, Chhattisgarh
3. Sanjay Sharma S/o Natthulal Sharma, Aged About 46 Years, R/o Jam Chuaan, Arada, Chhurikalan, Churi, District Korba, Chhattisgarh
4. Mukesh Goyal S/o Late Bajrang Lal Goyal, Aged About 45 Years, R/o Ward No. 09, Main Road, Katghora, District Korba, Chhattisgarh
5. Suresh Kumar Agrawal S/o Late Bhagvandas Agrawal, Aged About 66 Years, R/o Agrawal Main Road, Ward No. 04, Katghora, District Korba Chhattisgarh
6. Ashutosh Sharma S/o Pawan Sharma, Aged About 25 Years, R/o Rahmaniya Ward, Katghora, District Korba, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Social Welfare, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office and Police Station Nawa Raipur, District Raipur Chhattisgarh
2. Collector Korba, District Korba, Chhattisgarh
3. Additional Collector Korba, District Korba, Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat, Katghora, District Korba Chhattisgarh
5. Sub Divisional Officer (Revenue) Katghora, District Korba, Chhattisgarh

6. Tahsildar Katghora, District Korba, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rakesh Kumar Jha, Advocate
For State	:	Mr. Raghvendra Verma, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order On Board

25.08.2020

1. The challenge in the present writ petition is to the order dated 18.11.2019 passed by the Collector, Korba in Case No. 06/B-121/19-20.
2. At the outset, this Court is of the opinion that since the impugned order is an appealable order before the Divisional Commissioner, it would not be proper for this Court to entertain the writ petition. Moreover, the writ petition has been filed before this Court after more than 8 months from the impugned order being passed. This Court, however, reserves the right of the petitioners to avail the remedy of appeal before the appellate authority.
3. Accordingly, 10 days time is granted to the petitioners to prefer an appeal before the appellate authority and for this 10 days period the respondents are restrained from taking any coercive step against the petitioners.
4. Along with the appeal which the petitioners will prefer before the appellate authority, they shall also prefer an application for condonation of delay explaining the delay caused and can also move an application for grant of interim relief so far as the stay of the effect and operation of

the impugned order dated 18.11.2019 is concerned.

5. The writ petition accordingly stands disposed of.

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

Khatai