

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1838 of 2020**

1. Khushiram S/o Late Sahebram Dansena, Aged About 57 Years R/o Gram Sodka, Tehsil - Kharsiya, Haal Mukaam Gram Boirdadar,

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through - The Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Commissioner, Bilaspur, District - Bilaspur Chhattisgarh.
3. Collector, Raigarh, District Raigarh Chhattisgarh.,
4. Sub - Divisional Officer, Gharghoda, District Raigarh Chhattisgarh
5. Tehsildar, Kharsiya, District - Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Sumit Singh Rathore, Adv.
For State	:	Mr. Mateen Siddiqui, Dy. A.G..

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2020**

1. The challenge in the present writ petition is to the order passed by the Collector Raigarh Annexure P/1 dated 30.06.2020. Vide the said application, the Collector has rejected the application moved by the petitioner under Section 165(7)(b) of the Chhattisgarh Land Revenue Code.
2. At the outset, this Court is not inclined to entertain the writ petition for the reason that the order is an appealable order That, as the provision of Chhattisgarh Land Revenue under section 44(1)(e) provides for an appeal against an order passed by the Collector to the Divisional Commissioner. In the instant case, on a previous occasion also when the application was earlier rejected, the petitioner had in fact availed this remedy of appeal.
3. In view of the fact that the petitioner in the past having availed the remedy of appeal, there is no good reason why an appeal should not be preferred at this juncture.

4. Accordingly the writ petition is disposed of reserving the right of the petitioner to avail the remedy of appeal. In the event, if the petitioner preferring an appeal the Appellate Authority is expected to take a decision on its merits in accordance with law at the earliest.
5. Subject to the petitioner, furnishing the photocopy, the certified copy if any, can be returned to the petitioner.
6. With the aforesaid direction, the writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha