

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1875 of 2020**

1. Smt. Rehana Khatoon W/o Mohd. Anwar Idrisi Aged About 31 Years
R/o Village- Amandon (Semarpara) P.O. And P.S. And Tehsil-
Pratappur, Revenue And Civil District- Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster Management, Mahanadi Bhawan, Naya Raipur, Raipur, District- Raipur, Chhattisgarh
2. Commissioner Sarguja Division, Ambikapur, District- Sarguja, Chhattisgarh
3. Collector Surajpur District Surajpur Chhattisgarh
4. Sub Divisional Officer (Revenue) Pratappur, District- Surajpur, Chhattisgarh
5. Tehsildar Pratappur District- Surajpur, Chhattisgarh
6. Patwari Patwari Halka No. 20, Post, P.S. And Tehsil- Pratappur, Civil And Revenue District- Surajpur, Chhattisgarh
7. Revenue Inspector Pratappur Post, P.S. And Tehsil- Pratappur, Civil And Revenue District- Surajpur, Chhattisgarh
8. Jagdish S/o Shri Ramdas Aged About 45 Years Aheer By Caste And Are R/o Village- Mani, P.S. And Tehsil- Pratappur, District- Surajpur, Chhattisgarh
9. Santosh S/o Shri Sadhu Ram Aged About 50 Years Aheer By Caste And Are R/o Village- Mani, P.S. And Tehsil- Pratappur, District- Surajpur, Chhattisgarh
10. Sanjay S/o Shri Sadhu Ram Aged About 35 Years Aheer By Caste And Are R/o Village- Mani, P.S. And Tehsil- Pratappur, District- Surajpur, Chhattisgarh
11. Dhanapatiya W/o Shri Ramdas Aged About 45 Years Aheer By Caste And Are R/o Village- Mani, P.S. And Tehsil- Pratappur, District- Surajpur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Surfaraj Khan, Adv.
For State	:	Mr. Mateen Siddiqui, Adv.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****25/08/2020**

1. The limited relief sought for by the petitioner is for a direction to the respondent No.4 the Sub Divisional Officer Revenue Pratappur, District

Surajpur to decide an appeal pending before him i.e. the Revenue Case No. 47/A-70/ 2017-18 at the earliest.

2. Perusal of the pleadings and also on hearing the submission by the Counsel for the petitioner, this Court finds that against an interim order passed by the Sub Divisional Officer, the petitioner has already approached the Board of Revenue challenging the interim order so passed and the Board of Revenue is already seized of the matter and also given an interim protection in favour of the petitioner.
3. Given the fact that the matter is pending consideration before the Board of Revenue, at this juncture it would not be appropriate for this Court to exercise the writ jurisdiction directing the Sub Divisional Officer to decide the appeal itself on its own merits when the revision arising out of an order of the SDO itself is pending consideration before the Board of Revenue. This Court is of the firm view that let the petitioner approach the Board of Revenue seeking for an appropriate relief in this regard and the Board of Revenue is expected to take a decision on the revision on its own merits considering the limited request that the petitioner makes at this juncture.
4. With the aforesaid direction, the writ petition accordingly stands disposed of reserving the right of the petitioner to approach this Court in the event if the grievance still survives.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha