

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1950 of 2020**

1. Rammani Pandey S/o Late Kameshwar Kumar Pandey Aged About 57 Years Mo. No. 9981722090, R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh
2. Sanjeev Mohan Pandey S/o Late Kameshwar Kumar Pandey Aged About 55 Years R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh
3. Neelmani Pandey S/o- Late Kameshwar Kumar Pandey Aged About 51 Years R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh
4. Sheelmani Pandey S/o Late Kameshwar Kumar Pandey Aged About 49 Years Mo. No. 9981122570, R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh
5. Smt. Pratima Mishra D/o- Late Kameshwar Kumar Pandey, W/o- P.N. Mishra Aged About 60 Years R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh
6. Smt. Vibha Pandey D/o- Late Kameshwar Kumar Pandey W/o- Anand Pandey Aged About 53 Years R/o- Pathariya, Police Station And Tahsil- Pathariya, District- Mungeli, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through- Secretary, Department Of Revenue, Mantralaya, Atal Nagar Raipur, Tahsil And District- Raipur, Chhattisgarh
2. Collector Mungeli, District Mungeli, Chhattisgarh
3. Sub-Divisional Officer (Revenue) Pathariya, District Mungeli, Chhattisgarh
4. Tahsildar Pathariya, District Mungeli, Chhattisgarh
5. Patwari Halka No. 7, Revenue Circle And Tahsil Pathariya, District- Mungeli, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ratnesh Kumar Agrawal, Advocate
For State	:	Mr. Siddharth Dubey, Dy. GA

Hon'ble Shri Justice P. Sam Koshy
Order on Board

17/09/2020

1. The grievance of the petitioner in the present writ petition seems to be the erroneous entry made in the revenue record showing the land over which according to the petitioner he has Bhumi Swami right as “Charai” land and “Govt. Lease and Non-transferable” land.
2. The dispute seems to be in respect of the property situated in Khasra no.187/1 measuring 15.50 acre, Khasra no.190 measuring 5 acre, Khasra no.191 measuring 0.18 acre, Khasra no. 189 measuring 0.86 acre, which has been entered in the revenue record as “Charai” and “Govt. Lease and Non-transferable” land.
3. According to the petitioner, the property originally stood in the name of the original owner namely Abdul Rasid Khan even before the Chhattisgarh Land Revenue Code was enacted. Subsequently, petitioner's father had purchased the said land from the successors of Abdul Rasid Khan and the petitioner has inherited the said land through family partition. According to the petitioner, recently he came to know that in the revenue record, wrong entry has been made and the said property has been reflected as “Aam Charai” and Govt. lease & non-transferable land.
4. Contention of the petitioner is that the entry so made is without any authority and law and without any notice or intimation given to the petitioner. It is this erroneous entry against which the present writ petition has been filed.
5. State counsel opposes the petition on the ground that the petitioner had an alternative remedy available under the Land Revenue Code by moving before the concerned revenue authorities for necessary correction. Second

objection of the State counsel is that the petition is highly belated as the entry made in the revenue record would show that the same had been entered there for more than 3 decades ago and therefore at this juncture, the petitioner does not have any right to approach the High Court by way of present writ petition.

6. Be that as it may, since the dispute raised by the petitioner is one which falls under the category of correction in the revenue record, the proper recourse available to the petitioner is to approach the revenue authorities in accordance with law.
7. Perusal of the record would show that the petitioner has already made a representation in this regard to the respondents 2 to 4. However, no further development has taken place.
8. Given the said facts, let the petitioner again approach the respondents 2 to 4 for ventilating his grievance who in turn would take an appropriate decision purely in accordance with the provisions of law at the earliest even if it is of advising to file an application in accordance to the Land Revenue Code.
9. Needless to mention that this Court has not expressed any opinion on the merits of the case and the authorities concerned are expected to take a decision purely in accordance with law.

Sd/-
(P. Sam Koshy)
Judge