

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2748 of 2020

1. Smt. Anita Verma, W/o Shri Santosh Verma, Aged About 40 Years

2. Santosh Vemra S/o Shri Narayan Verma, Aged About 42 Years

Both R/o Village Suhela, Tahsil - Simga, District : Balodabazar-Bhathapara, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through - Secretary Revenue Mahanadi Bhawan, Atal Nagar, Naya Raipur, District : Raipur, Chhattisgarh

2. The Collector, Balodabazar, District : Balodabazar-Bhathapara, Chhattisgarh

3. The Sub Divisional Officer (Revenue), Simga, District : Balodabazar-Bhathapara, Chhattisgarh

4. The Nayab Tahsildar Up Tahsil Suhela, District : Balodabazar-Bhathapara, Chhattisgarh

5. Smt. Savita Verma, W/o Shri Santosh Verma, Aged About 40 Years
Sarpanch Of Village Panchayat Suhela, District : Balodabazar-Bhathapara, Chhattisgarh

6. Village Panchayat Suhela, Through - Secretary, Tahsil - Simga, District : Balodabazar-Bhathapara, Chhattisgarh

----- Respondents

For Petitioners	:	Mr. Anil S. Rajput, Advocate
For State	:	Mr. Mateen Siddiqui, Dy. Advocate Gen.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.11.2020

1. The challenge in the present writ petition is to the order passed by the Sub-Divisional Officer in an appeal on 31.10.2020 (Annexure P-1); whereby the Sub-Divisional Officer has rejected the appeal preferred by

the petitioners against the order passed by the Nayab Tahsildar on 06.10.2020 (Annexure P-2) in a proceeding u/s 248 of the Chhattisgarh Land Revenue Case, 1959.

2. At the outset, this Court is of the opinion that the writ petition is not maintainable as the order is an appealable order and a second appeal is provided under the Act, u/s 44 of the Chhattisgarh Land Revenue Case, 1959.
3. Given the fact that the order is an appealable order, the writ petition at this juncture stands disposed off permitting the petitioners to prefer an appeal before the appellate authority within a period of fifteen days starting from today. Purely as an interim measure taking into consideration the festive season that is fast approaching, the respondents are directed not to execute the order passed by the Nayab Tahsildar on 06.10.2020 for a period of fifteen days within which the petitioners shall approach the appellate authority by way of a second appeal along with an application for interim relief.
4. With the aforesaid direction, the present writ petition stands disposed off.

Certified Copy today.

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