

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2599 of 2021

1. Bhojram Satnami S/o Shri Heera Ram Satnami Aged About 57 Years
R/o Village Chhote Rabeli, Post Bade Rabeli, Tahsil Malkharoda, Civil
And Revenue District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department,
Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District
Raipur Chhattisgarh
2. Collector Janjgir Civil And Revenue District Janjgir Champa
Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti Civil And Revenue District
Janjgir Champa Chhattisgarh
4. Tehsildar Malkharoda Civil And Revenue District Janjgir Champa.
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat
Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District
Janjgir Champa Chhattisgarh

---- Respondents

WPC No. 2600 of 2021

1. Bhaiyaram Satnami S/o Shri Heera Ram Satnami Aged About 43 Years
R/o Village Chhote Rabeli, Post Bade Rabeli, Tahsil Malkharoda, Civil
And Revenue District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department,
Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District
Raipur Chhattisgarh
2. Collector Janjgir Civil And Revenue District Janjgir Champa
Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti Civil And Revenue District
Janjgir Champa Chhattisgarh

4. Tehsildar Malkharoda Civil And Revenue District Janjgir Champa.
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Respondents

WPC No. 2601 of 2021

1. Ramadhar Satnami S/o Shri Mohanlal Satnami Aged About 50 Years R/o Village Chhote Rabeli, Post Bade Rabeli, Tahsil Malkharoda, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Collector Janjgir Civil And Revenue District Janjgir Champa Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti Civil And Revenue District Janjgir Champa Chhattisgarh
4. Tehsildar Malkharoda Civil And Revenue District Janjgir Champa.
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Respondents

WPC No. 2616 of 2021

1. Sammelal Satnami S/o Shri Mohanlal Satnami Aged About 36 Years R/o Village Rabeli, Post Bade Rabeli, Tahsil Malkharoda, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Petitioner

2. Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Collector Janjgir Civil And Revenue District Janjgir Champa Chhattisgarh

3. Sub Divisional Officer (Revenue) Sakti Civil And Revenue District Janjgir Champa Chhattisgarh
4. Tehsildar Malkharoda Civil And Revenue District Janjgir Champa Chhattisgarh
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Respondents

WPC No. 2623 of 2021

1. Ramkishan Satnami S/o Shri Mohanlal Satnami, Aged About 43 Years R/o Village - Chhote Rabeli, Post Bade Rabeli, Tahsil - Malkharoda, Civil And Revenue District - Janjgir - Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Civil And Revenue District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Janjgir, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Tehsildar, Malkharoda, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 2625 of 2021

1. Ramdas Satnami S/o Shri Uderam Satnami, Aged About 55 Years R/o Village - Chhote Rabeli, Post Bade Rabeli, Tahsil - Malkharoda, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Revenue Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Civil And Revenue District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Janjgir, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Tehsildar, Malkharoda, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District - Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

WPC No. 2626 of 2021

1. Vijay Kumar Satnami S/o Shri Bhojram Satnami Aged About 38 Years R/o Village- Chhote Rabeli, Post- Bade Rabeli, Tahsil- Malkharoda, civil And Revenue, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, revenue Department, Mahanadi Bhawan, Atal Nagar, New Raipur, Civil And Revenue District- Raipur, chhattisgarh., District : Raipur, Chhattisgarh
2. Collector Janjgir, Civil And Revenue, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue) Sakti, Civil And Revenue, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Tehsildar Malkharoda, Civil And Revenue, District- Janjgir- Chmapa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
5. Gram Panchayat Bhutha Through The Secretary Gram Panchayat Bhutha, Janpad Panchayat Malkharoda, Civil And Revenue District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner

: Mr. Ramesh Kumar Nayak, Advocate.

For State

: Mr. Sudeep Agrawal, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

26/10/2021

1. It is submitted by the counsel for petitioner that the petitioners in all these cases and other villagers have been served with show-cause notice dated 6.7.2020 for ejectment from the government land by Tahsildar under the provisions of Section 248 of CG Land Revenue Code, 1959. In similar petitions, other villagers have been granted liberty by this Court to pursue appeal filed before SDO, therefore, petitioners in all these cases also intend to file appeal before the SDO in accordance with law against the notice of ejectment, hence, this petition may be disposed off.
2. Considered on the submissions.
3. Perused the documents filed along with writ petition. Considering that statutory remedy of appeal under the law is available to petitioners although filing of the same will now be delayed, but even then the petitioners have liberty to file such appeal along with application for condonation of delay.
4. Accordingly, this writ petition is disposed off with liberty to the petitioners to file an appeal before the Court of SDO along with an application for condonation of delay. If such an appeal and application is filed against the order of Tahsildar within 30 days from today, then the learned SDO is directed to proceed to hear application for condonation of delay in accordance with law. If

application for condonation of delay is allowed in that case respondent No.3 shall proceed with hearing in the appeal filed. It is further directed that until the application for grant of stay, if any filed by petitioners along with appeal, is decided by the learned SDO, until then the execution of the impugned order shall be kept in abeyance.

5. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha