

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3069 of 2021

- Meghnath Sahu S/o Nathuram Sahu Aged About 53 Years R/o Village Mohtara, Tahsil Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh
2. The Collector District Baloda Bazar-Bhatapara Chhattisgarh
3. The Tahsildar Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh
4. Ajay Sahu S/o Sahdev Sahu R/o Village Mohtara, Tahsil Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh

---- Respondents

For Petitioner	:	Shri K.P. Sahu, Advocate
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For State	:	Shri Siddharth Dubey, Dy. G.A.
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.07.2021

Heard

1. Learned counsel for the petitioner would submit that the petitioner was holding lease of certain land and construction was made over it. Subsequently on 18.09.2019 certain part of the construction was demolished by order of Tahsildar.
2. On enquiry being made to the learned counsel for the petitioner that the letter (Annexure P-6) is dated 18.09.2019 and 2 years have been passed, whether any statutory appeal has been filed or not he submits that because no enquiry or pressure was exerted by State, therefore the petitioner has not filed any appeal against the order of Tahsildar.
3. Perused the documents.
4. Perusal of the documents shows that Statutory appellate remedy is available to the petitioner against the order of Tahsildar and the petition is so vague that what happened after 2019 is not clear, therefore on

assumption and presumption this Court cannot exercise its jurisdiction under article 226 of the Constitution of India. However, the petitioner if so advised can avail the statutory appellate remedy available to him under the law.

5. With the aforesaid observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti