

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 4073 of 2021**

- Thanwar S/o Pardeshi Aged About 70 Years R/o Village Dhaurabhantha, Tahsil Kasdol, District Balodabazar Bhatapara Chhattisgarh

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management, Mantralaya, Atal Nagar Nawa Raipur Chhattisgarh
2. The Collector District Balodabazar Bhatapara Chhattisgarh
3. The Tahsildar Kasdol, District Balodabazar Bhatapara Chhattisgarh
4. Smt. Jageshwari W/o Jethudas Caste - Panika, Resident Of Village Dhaurabhantha, Tahsil Kasdol, District Balodabazar Bhatapara Chhattisgarh

**---- Respondents**


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For Petitioner : Shri K.P. Sahu, Advocate

For Respondents/State : Shri Ravi Bhagat, Dy. GA

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**Hon'ble Shri Justice Goutam Bhaduri****Order****05/10/2021**

1. Heard.
2. Learned counsel for the petitioner would submit that though the petitioner is in possession of the part of land bearing Khasra No.133/1 admeasuring 0.506 heactare at village Dhaurabhatha and it being the land less person showing it to be the land of Jageshwari, who is the daughter-in-law, the proceedings are being drawn and the ejectment orders have been passed against Jageshwari on 30.09.2021 which is being carried out. It is contended that if the ejectment proceedings are carried out then in such case it is the petitioner who would

suffer and not the respondent No.4, who is not in actual possession and she is in dispute with the petitioner. He would further submit that the resolution was passed by the Gram Panchayat to grant land in favour of the petitioner of which he is in possession for the last 36 years.

3. After having considered the fact that it appears that there is no ejectment order as on date against the petitioner but the petitioner claims that in lieu of the order passed against the respondent No.4 Jageshwari on 30.09.2021 for ejectment, the petitioner would be ejected from the part of land bearing Khasra No.133/1 admeasuring 0.506 hectare. In view of this, it is directed that the petitioner shall be at liberty to challenge the ejectment order before the appellate forum under the C.G. Land Revenue Code, 1959 within a period of 30 days from the date of receipt of this order since the order of ejectment has been passed by the Tehsildar and if such appeal is filed, the appellate authority shall hear the same and till further period of 60 days the petitioner if he is in possession of the part of the land bearing Khasra No.133/1 admeasuring 0.506 hectare he shall not be forcefully evicted.
4. With the aforesaid observation, the writ petition stands disposed of.
5. Certified copy today.

Sd/-

Goutam Bhaduri  
Judge

Ashu