AMITA DUBEY

CGHC010024862021

2026:CGHC:43758

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 423 of 2021

1 - Arun Kumar Keshri S/o Radheshyam Keshri Aged About 55 Years R/o Ramanujganj, Ward No. 06, Ramanujganj District Balrampur Ramanujganj Chhattisgarh

2 - Ashish Kumar Keshri S/o Arun Kumar Keshri Aged About 30 Years R/o Ramanujganj, Ward No. 06, Ramanujganj District Balrampur Ramanujganj Chhattisgarh

... Petitioners

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh.

2 - The Chief Municipal Officer Nagar Panchayat Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

3 - The Tahsildar Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

4 - The Nazul Officer Ramanujganj, District Balrampur Ramanujganj Chhattisgarh.

5 - The Collector District Balrampur Ramanujganj Chhattisgarh

... Respondents

For Petitioners	:	Mr. Rahul Mishra, Advocate
For Res. Nos. 1,3,4: and 5/State	:	Ms. Supriya Upasane, Government Advocate
For Res. No. 2	:	Mr. Shrikant Kaushik, Advocate holding brief of Mr. Rishikant Mahobia, Advocate

SB: Hon'ble Shri Ravindra Kumar Agrawal, Judge

Order on Board

08/10/2026

1. The present writ petition has been filed under Article 226 of the Constitution of India, challenging the impugned order dated 20.01.2021 passed by the Tahsildar, Ramanujganj, District Balrampur-Ramanujganj (C.G.), in Revenue Case No. 202101271300004/A-68/2020-21, whereby the petitioner has been directed to be evicted from the subject land after removal of his alleged unauthorised possession therefrom.

2. Upon a query being raised by this Court as to whether the impugned order dated 20.01.2021 had been passed by the Tahsildar, Ramanujganj, in exercise of the powers conferred under Section 248 of the Chhattisgarh Land Revenue Code, 1959 or not, learned counsel appearing for the petitioner would submit that the order has been passed by the Tahsildar by invoking Section 248 of the C.G. Land Revenue Code which has been challenged in the writ petition.

3. Since the impugned order has been passed by the Tahsildar under the Chhattisgarh Land Revenue Code, the appropriate remedy available to the petitioner is to prefer a first appeal before the competent Sub-Divisional Officer under Section 44 of the said Code. Although this Court is vested with the power to exercise its writ jurisdiction under Article 226 of the Constitution of India, in view of the availability of an efficacious statutory alternative remedy of appeal under Section 44 of the Chhattisgarh Land Revenue Code,

this Court is not inclined to entertain the present writ petition challenging the order passed by the Tahsildar.

4. At this stage, since the order dated 20.01.2021 passed by the Tahsildar, Ramanujganj, has been assailed in the present writ petition and the petitioner has an efficacious alternative statutory remedy of filing an appeal under Section 44 of the Chhattisgarh Land Revenue Code, the present writ petition is dismissed on the ground of availability of such alternative remedy alone. However, the petitioner shall be at liberty to avail the said statutory remedy by filing an appeal before the competent appellate authority, if so advised. In the event of such an appeal being preferred, the competent appellate authority shall consider and decide the same on its own merits, in accordance with law.

5. With the aforesaid direction/observation the present writ petition is disposed of.

Sd/-
(Ravindra Kumar Agrawal)
Judge

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