CGHC010061792021 2026:CGHC:43757

AMITA DUBEY

Digitally signed by AMITA DUBEY
Date: 2026.10.16 18:59:54 +0530

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1448 of 2021

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

2 - Ashish Kumar Keshri S/o Arun Kumar Keshri Aged About 30 Years Resident Of Ramanujganj, Ward No. 6, Ramanujganj , District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

... petitioners

versus

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

2 - The Collector District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

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

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

5 - The Chief Executive Officer Janpad Panchayat , Ramachandrapur, District Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

6 - Gram Panchayat Gamhariya Janpad Panchayat , Ramchandrapur, District Balrampur Ramanujganj Chhattisgarh Through Its Sarpanch., District : Balrampur, Chhattisgarh.

... Respondent(s)

{Cause title, as taken from Case Information System}

For Petitioners	**:**	Mr. Rahul Mishra, Advocate
For Respondents No.1, 2 & 4	**:**	Ms. Supriya Upasne, Govt. Advocate.
For Respondents No. 3 & 6	**:**	Mr. Shrikant Kaushik, Adv. holding brief of Mr. Rishikant Mahobia, Adv.

(Hon'ble Mr. Justice Ravindra Kumar Agrawal)

Order on Board

08/10/2026

Heard.

1. The petitioner has filed instant writ petition under Article 226 of the Constitution of India seeking following reliefs :

> " 10.1 That this Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby setting-aside/quashing the impugned order dated 30.12.2020 (Annexure P/1) and order dated 14.07.2020 (Annexure P/2) being without jurisdiction.
>
> 10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to allot the land in question in favour of petitioners as per government's circular/policy, in accordance with law.
>
> 10.3 That any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the cost of the petition may be given.

2. Learned counsel appearing for the petitioner would submit that the impugned order dated 30.12.2020 (Annexure P/1), passed by Respondent No. 4 in Revenue Case No. 202009270900109/A-20(1), whereby the application filed by the petitioner for allotment of Nazul land bearing Khasra No. 536/1, admeasuring 0.01¾ acres out of total area of 1.0½

acres, situated at Ramanujganj, Tahsil Ramanujganj, District Balrampur-Ramanujganj (C.G.), has been rejected without having jurisdiction and without giving him an opportunity of hearing. It is further submitted that the impugned order has been passed solely on the basis of the enquiry report submitted by the Revenue Inspector (Nazul), wherein it has been observed that the petitioner is in possession of excess land and has encroached upon the same. He would further submit that the allotment or cancellation of land is within the jurisdiction of District Collector and not with the Nazul Officer, Ramanujganj. As per the rules provided for allotment of Nazul land under Chapter IV (1), Clause 13 and 17 of Revenue Book Circular, the District Collector is competent authority for the same, but in the present case, the respondent No. 4- The Nazul Officer, Ramanujganj has passed the order dated 30.12.2020, therefore, the petitioner may be permitted to make representation before the District Collector in view of the aforesaid provisions of Revenue Book Circular and then he may decide the same afresh in accordance with law after providing opportunity of hearing to the petitioner.

3. Learned counsel for respondents No. 1, 2 and 4/State opposes the submissions made by learned counsel for the petitioner and submits that the petitioner himself is in unauthorized occupation of the Nazul land. It is further submitted that the petitioner's application has already been dismissed earlier and the petitioner is having an alternative efficacious remedy to challenge the order passed by the Nazul Officer before the appellate authority. Therefore, the petitioner may not be permitted to raise the same issue afresh before the District Collector.

4. I have heard learned counsel for the parties and perused the documents annexed to the writ petition.

5. Considering the submissions raised by learned counsel for the parties, the facts and circumstances of the case, and the issue involved in the present writ petition, this Court deems it appropriate to direct the petitioner to approach the District Collector under the relevant provisions of the Revenue Book Circular by way of a representation raising his grievances. In turn, the District Collector shall consider and decide the said representation strictly in accordance with law and on its own merits, after affording due opportunity of hearing to all the parties concerned.

6. With the aforesaid observations and directions, the present writ petition is disposed of.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Ami