CGHC010156302021 2026:CGHC:43821

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 2725 of 2021**

**1 -** Panchram Nayak S/o Late Ghanaram, Aged About 52 Years R/o Village - Chilhati, Tahsil Bilaspur, District - Bilaspur Chhattisgarh

**... Petitioner**

PRIYANKA VERMA
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**versus**

**1 -** State Of Chhattisgarh Through Collector Bilaspur, District - Bilaspur Chhattisgarh

**2 -** The Revenue Board Chhattisgarh At Bilaspur District Bilaspur Chhattisgarh

**3 -** The Upper Commissioner Bilaspur Division, District Bilaspur - Chhattisgarh

**4 -** The Sub - Divisional Officer (Revenue) Masturi, District Bilaspur Chhattisgarh

**5 -** The Nayab Tehsildar Masturi District Bilaspur Chhattisgarh

**6 -** Kantibai W/o Late Rajkumar R/o Village Bannak Chauk, Sirgitee, Police Station - Sirgitee, District - Bilaspur Chhattisgarh

**... Respondents**

| | | |
|---|---|---|
| For Petitioner | **:** | Mr. Sumit Shrivastava, Advocate |
| For State | **:** | Mr. Anil Pandey, GA |

**Hon'ble Shri Justice Amitendra Kishore Prasad**

**Order on Board**

**09/10/2026**

1. The petitioner, in this Writ Petition, has prayed for the following reliefs:-

> *"10.1 That this Hon'ble Court may kindly be pleased to call for the entire record pertaining to the present case.*
>
> *10.2 That this Hon'ble Court may please to quash the impugned order dated 17-05-2021 (ANNEXURE P/1) passed by the Revenue Board Chhattisgarh, Bilaspur, District- Bilaspur C.G. in the interest of Justice.*
>
> *10.3 That this Hon'ble court may further be pleased to pass any other order in favour of petitioner as it may deem fit and proper under the facts and circumstances of the case with cost."*

2. Learned counsel for the petitioner submits that the petitioner is challenging the order dated 17.05.2021 passed in mutation proceedings. He submits that the petitioner's name was recorded in the revenue records by the concerned Tehsildar vide order dated 18.09.2017 after due verification. He submits that the said order was subsequently set aside by the Sub-Divisional Officer (Revenue) vide order dated 16.04.2018 in an appeal preferred by respondent No. 6- Kantibai, resulting in the deletion of the petitioner's name from the revenue records in respect of the disputed land. He further submits that, in the revision preferred against the order of the SDO (Revenue), the said order was set aside and the order passed by the Tehsildar was restored. However, in a subsequent revision preferred by Kantibai, the Board of Revenue, vide the impugned order dated 17.05.2021, accepted the reasoning assigned by the SDO (Revenue) and held that the petitioner had failed to establish that his name had been wrongly deleted from the revenue records. Learned

counsel submits that the impugned order is unsustainable in law and deserves to be set aside.

3. Learned State counsel opposes the submissions made by learned counsel for the petitioner and supports the impugned order passed by the Board of Revenue.

4. Having heard learned counsel for the parties and having perused the material available on record, it appears that the dispute primarily relates to the title and possession of the property in question. The revenue authorities have passed orders in the mutation proceedings on the basis of the material available before them, and the Board of Revenue has affirmed the order passed by the SDO (Revenue). The question as to whether the petitioner has a valid title over the disputed property and is entitled to have his name recorded in the revenue records involves disputed questions of fact, which cannot be conclusively adjudicated in the present writ petition arising out of mutation proceedings. It is well settled that mutation entries are primarily maintained for fiscal purposes and do not confer or extinguish title over the property. Therefore, if the petitioner claims title and possession over the disputed property, the appropriate remedy would be to approach the competent Civil Court for adjudication of his rights in accordance with law.

5. Accordingly, the petitioner is relegated to avail the appropriate remedy before the competent Civil Court within a period of one month from the date of receipt of a copy of this order. The interim order dated 07.07.2021 passed by this Court shall remain operative for the said period.

6. It is made clear that this Court has not expressed any opinion on the merits of the dispute relating to title and possession, and the competent Civil Court shall decide the matter independently in accordance with law.

7. With the aforesaid observations and directions, the present petition stands disposed of.

Sd/-

**(Amitendra Kishore Prasad)**
**Judge**

*Priyanka*