CGHC010259372015 2026:CGHC:45648

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Reserved on : 16/09/2026
Order Delivered on: 28/10//2026

WP227 No. 616 of 2015

Pramila Grih Nirman Sahkari Samiti Through The President Shri Rakesh Kumar Pandey, Son Of Late R.C. Pandey, Aged About 48 Years, R/o. A- 5, Anupam Nagar, Shankar Nagar, Raipur Chhattisgarh, Chhattisgarh

... Petitioner(s)

versus

1 - Smt. Sukhbati (Died Through Lrs) As Per Honble Court Order Dated 14-12-2015
1.1 - Heeraman Janghel S/o Late Sitaram Aged About 82 Years R/o Jaihind Chowk, Kapa, Lodhipara, Tahsil And District Raipur Chhattisgarh
1.2 - Surendra Kumar Janghel S/o Heeraman Janghel Aged About 53 Years R/o Jaihind Chowk, Kapa, Lodhipara, Tahsil And District Raipur Chhattisgarh
1.3 - Kunti Bai D/o Heeraman Janghel, W/o Late Bahal Verma Aged About 55 Years R/o Village Jalbandha, Khairagarh, P.S. And Post Ghumka, District Rajnandgaon
Chhattisgarh

1.4 - Dr. Subha Dubey W/o Dr. Anand Dubey Aged About 55 Years R/o Divya Samanvay, Vidya Hospital, Shankar Nagar, Main Road, Raipur, Tahsil And District Raipur Chhattisgarh

2 - Karmachari Grih Nirman Sahkari Samiti, Through Shri Sevak Ram Pandey, R/o. Rohinipuram, Raipur, District Raipur Chhattisgarh

3 - Guru Harikishanji Grih Nirman Samiti Raipur, Through Shri Harmindar Singh Hora, R/o. Sai Nagar, Raipur, District Raipur Chhattisgarh

4 - Board Of Revenue, Bilaspur, District Bilaspur Chhattisgarh

5 - Collector, Raipur, District Raipur Chhattisgarh

6 - Sub Divisional Officer, Raipur, District Raipur Chhattisgarh

7 - Tahsildar, Raipur, District Raipur Chhattisgarh

... Respondent(s)

(Cause-title taken from Case Information System)

For Petitioner(s)	:	Mr. Shikhar Sharma, Advocate.
For Respondent Nos. 1(a) to 1 (d)	:	Mr. Manoj Paranjpe, Senior Advocate and Ms. Shivangi Agrawal, Advocate.
For State/Respondent Nos. 5, 6, and 7.	:	Mr. Rohan Shukla, Panel Lawyer.

Hon'ble Shri Justice Ravindra Kumar Agrawal, J.

CAV Order

1. The present writ petition has been preferred by the petitioner challenging the orders dated 06.07.2015 (Annexure P/1), passed by the Chhattisgarh Board of Revenue, Bilaspur, Circuit Court at Raipur, in Revenue Revision Case No. RN/14/R/B-121/154/2009, order dated 08.05.2009 (Annexure P-2) passed by Tahsildar, Raipur, and order dated 24.08.2006 (Annexure P-3) passed by Sub Divisional Officer (Revenue) cum Land Acquisition Officer, Raipur. The petitioner prayed for the following reliefs in the writ petition:-

> "10.1 That, this Hon'ble Court may kind enough to quash the impugned order dated 06-07-2015 (Annexure P-1), dated 08-05-2009 (Annexure P-2) and order dated 24-08-2006 (Annexure P-3).
>
> 10.2 Any appropriate writ, direction or order may also kindly be passed in favour of the petitioner, which this Hon'ble court deems fit in the circumstances of the case."

2. The present dispute arises out of an application preferred by the respondent No. 1 (mother of respondent Nos. 1-A to 1-D), Smt. Sukhbati (since deceased), wife of Hiraman, before the Sub-Divisional Officer-cum-Land Acquisition Officer, Raipur, seeking correction of the revenue records in respect of the land situated at Village Shankarnagar, Patwari Halka No. 110, Tahsil and District Raipur. The applicant claimed ownership and possession of the land bearing

Khasra Nos. 1035/2 and 1289/2, admeasuring 0.162 hectares, which, according to her, stood recorded in her name in the revenue records until the year 1992-93. She averred that, during the preparation of the revenue records for the year 1993-94, a portion of the aforesaid land, admeasuring 0.081 hectares and assigned Khasra Nos. 1035/8 and 1289/8, was erroneously recorded in the name of the respondent No. 2, Karmachari Griha Nirman Samiti, under Mutation Entry No. 639, pursuant to the order dated 15.04.1994. The aforesaid land had never been acquired under the Land Acquisition Act, nor had she received any compensation in respect thereof. She, therefore, sought cancellation of the entry recording the name of the respondent No. 2 and restoration of her name in the revenue records.

3. The application was registered as Case No. 5872/B-121/2001-02. By order dated 24.08.2006, the SDO (Revenue), Raipur, observed that, under Land Acquisition Case No. 199/A-82/1982-83, an area measuring 35.12 acres at Village Shankarnagar had been acquired for Karmachari Griha Nirman Samiti and the award had been passed on 13.11.1992. However, upon examination of the relevant records and the report of the Patwari, it was found that the disputed land bearing Khasra Nos. 1035/2 and 1289/2, including the subsequently carved-out Khasra Nos. 1035/8 and 1289/8, admeasuring 0.081 hectare, did not find mention in the list of lands acquired for the respondent No. 2. The records further indicated that the name of Sukhbati had been recorded over the original Khasra numbers until 1992-93, whereas the name of the respondent No. 2 was subsequently entered pursuant to Mutation Entry No. 639 dated 15.04.1994. The SDO (Revenue), Raipur also noted that the revenue records did not disclose the basis on which the

disputed portion had been mutated in favour of the respondent No. 2. Accordingly, permission for review under Section 51 of the Chhattisgarh Land Revenue Code, 1959 was granted, with a direction to adjudicate the matter in accordance with law.

4. Pursuant to the aforesaid order, Smt. Sukhbati preferred an application seeking review of the mutation order dated 15.04.1994 passed in Mutation Entry No. 639. She reiterated that the disputed land formed part of her original holding and that the respondent No. 2 had acquired no right or title over the same, as the land had neither been acquired through land acquisition proceedings nor transferred by her in its favour. She further contended that the mutation of the disputed land in favour of the respondent No. 2 was contrary to the documentary evidence available on record and was, therefore, illegal and liable to be set aside. She further alleged that, despite having no lawful title over the disputed land, the respondent No. 2 transferred the land bearing Khasra Nos. 1035/8 and 1289/8, admeasuring 0.081 hectares, to respondent No. 3, Shri Guru Harikishan Ji Griha Nirman Sahakari Samiti, Raipur, on 03.09.1998. Thereafter, respondent No. 3 allegedly transferred the same land to the petitioner, Pramila Griha Nirman Sahakari Samiti, through its President, Rakesh Kumar Pandey, on 27.05.2000. According to Smt. Sukhbati, neither of the aforesaid transfers could confer any right or title upon the subsequent transferees, as the transferors themselves had no lawful title over the disputed land. She, accordingly, sought cancellation of the entries recording the names of the respondents in the revenue records and prayed that her name be restored in respect of the disputed land measuring 0.081 hectares.

5. The Tahsildar, Raipur, vide its order dated 08.05.2009, declared the transactions in favour of respondent Nos. 2 and 3 null and void and directed for restoration of her name in the revenue records, with respect to land Kh. No. 1035/8 and 1289/8, area 0.081 Hectares. The said order dated 08.05.2009 was challenged by the petitioner by filing a revision under Section 51 of the Land Revenue Code before the Chhattisgarh Board of Revenue, Bilaspur, Circuit Court at Raipur, which was dismissed vide order dated 06.07.2015. Hence, this petition.

6. Learned counsel for the petitioner would submit that the land bearing Khasra Nos. 1035/2 and 1289/2, admeasuring 0.081 hectare, was acquired by the State Government for the benefit of respondent No. 2, Karmachari Grih Nirman Sahkari Samiti, and compensation of Rs. 26,520/- was awarded to respondent No. 1 in respect of the acquired land. It is submitted that, thereafter, the land was transferred by respondent No. 2 to respondent No. 3, Guru Harikishan Grih Nirman Sahkari Samiti, and the petitioner subsequently acquired the land through a registered sale deed. Pursuant to the successive transfers, the names of the concerned societies and, ultimately, the petitioner were recorded in the revenue records. He would further submit that respondent No. 1, after a considerable lapse of time, approached the Land Acquisition Officer on 28.06.2000 seeking relief in respect of the subject land. However, by order dated 14.11.2000, the application was returned with the observation that the matter could not be proceeded with before the said authority and that respondent No. 1 could approach the competent court. Despite this, respondent No. 1 subsequently approached the revenue authorities seeking deletion of the name of respondent No. 2 and mutation of her own name in the

revenue records. It is further submitted that respondent No. 2, in its reply dated 09.03.2004, had specifically disclosed that the land had already been transferred to respondent No. 3 and thereafter to the petitioner.

7. Learned counsel would next submit that the Sub-Divisional Officer, vide order dated 24.08.2006, permitted review under Section 51 of the Land Revenue Code and directed the Tahsildar, Raipur, to decide the matter in accordance with law. Thereafter, the Tahsildar, vide order dated 08.05.2009, directed mutation of the name of respondent No. 1 in respect of the renumbered Khasra Nos. 1035/8 and 1289/8. It is argued that the said orders were passed without impleading or affording an opportunity of hearing to the petitioner, despite the fact that the petitioner had acquired rights in the subject land through a registered instrument and its name had already been recorded in the revenue records. Thus, the impugned proceedings are stated to be vitiated for violation of the principles of natural justice.

8. It is also submitted that the Board of Revenue, while deciding the revision preferred by the petitioner, failed to properly consider the material available on record, particularly the compensation list indicating payment of Rs. 26,520/- to respondent No. 1 in respect of the acquired land. It is pointed out that the petitioner had moved an application under Section 32 of the Land Revenue Code for summoning the original land acquisition records, as the relevant compensation list was not available in the record of Land Acquisition Case No. 199-A/82 of the year 1988-89. Although the Board of Revenue, on 25.05.2015, directed that the original records be called for, the matter was ultimately decided without the relevant original

record having been duly examined, thereby resulting in non-consideration of material evidence and the grounds raised in the petitioner's written submissions dated 01.10.2013.

9. It is lastly argued that the revenue authorities could not have adjudicated upon the legality or validity of the registered conveyance under which the petitioner acquired the subject land, as such questions fall within the domain of the competent civil court. The mutation proceedings could not have been used to defeat the petitioner's claimed rights arising from the registered sale deed without adjudicating the competing claims in appropriate civil proceedings. It is, therefore, submitted that the Board of Revenue, while passing the impugned order dated 06.07.2015, failed to appreciate the jurisdictional infirmities in the orders passed by the subordinate revenue authorities and the material irregularities in the proceedings. Accordingly, learned counsel prays that the impugned order dated 06.07.2015 passed by the Board of Revenue, as well as the order dated 08.05.2009 passed by the Tahsildar, Raipur, be set aside.

10. Per contra, learned Senior Advocate, appearing for the legal representatives of original respondent No. 1, would submit that the deceased respondent No. 1, Sukhbati, was the recorded owner of the land bearing Khasra Nos. 1035/2 and 1289/2, admeasuring 0.172 hectares, and that, during the land acquisition proceedings in Land Acquisition Case No. 199/A-82/1988-89, an area of 0.081 hectares was inadvertently recorded in the name of Karmachari Grih Nirman Sahkari Samiti. Upon coming to know of the erroneous entry, the deceased respondent No. 1, Sukhbati, approached the Tahsildar for review of the order dated 15.04.1994. The Sub-Divisional Officer, vide

order dated 24.08.2006, granted permission for review under Section 51 of the Land Revenue Code, and thereafter, the Tahsildar, vide order dated 08.05.2009, allowed the review application and directed that the land be recorded in the name of the deceased respondent No. 1, Sukhbati. It is submitted that the Board of Revenue has considered the entire facts and revenue records of the case, and by the impugned order dated 06.07.2015, rightly dismissed the revision preferred by the petitioner.

11. He would also submit that the petitioner had an efficacious statutory remedy of appeal against the order dated 08.05.2009 passed by the Tahsildar under Section 44 of the Land Revenue Code before the Sub-Divisional Officer. Instead of availing such remedy, the petitioner approached the Board of Revenue by way of revision, which, according to the learned counsel, was not maintainable in the circumstances of the case. It is, therefore, submitted that the petitioner cannot be permitted to bypass the remedy prescribed under the statute and invoke the supervisory jurisdiction of this Court under Article 227 of the Constitution of India.

12. Learned Senior Advocate would further submit that, even before the institution of the present writ petition on 28.07.2015, the order dated 08.05.2009 passed by the Tahsildar had already been implemented and the revenue records had been corrected in favour of the deceased respondent No. 1, Sukhbati. In support of this submission, reliance is placed upon the subsequent order dated 17.07.2015 passed by the Tahsildar, the relevant Form B-1, Khasra entries, map and Rin Pustika. It is submitted that the petitioner was aware of the implementation of the order and the consequential correction of the revenue records but

failed to disclose these material facts. It is also submitted that the deceased respondent No. 1, during her lifetime, executed a registered Will dated 27.07.2015 in favour of Dr. Subha Dubey, bequeathing her rights in the property in question. Upon the death of Sukhbati on 06.08.2015, Dr. Subha Dubey, along with the other legal heirs, namely, Heeraman Janghel, Surendra Kumar Janghel and Kunti Bai, claims the right to represent the estate of the deceased respondent No. 1. It is, therefore, prayed that all four persons be brought on record as legal representatives of the deceased respondent No. 1 so that the matter may be effectively adjudicated in their presence.

13. Learned State counsel would submit that the land bearing Khasra Nos. 1035/2 and 1289/2, admeasuring 0.081 hectares, was acquired by the State Government for the benefit of respondent No. 2, Karmachari Grih Nirman Sahkari Samiti. It is submitted that, thereafter, disputes arose between the private parties regarding the recording of names in the revenue records in respect of the acquired land. Respondent No. 1 approached the revenue authorities seeking mutation of her name, pursuant to which the Tahsildar, Raipur, vide order dated 08.05.2009, directed mutation of her name in respect of the renumbered Khasra Nos. 1035/8 and 1289/8. The petitioners, being aggrieved by the said order, preferred a revision before the Board of Revenue, which came to dismissed vide order dated 06.07.2015. Learned State counsel would submit that the aforesaid facts relate to proceedings between the private parties and the orders passed by the competent revenue authorities, and the answering State respondents, being formal parties, have no independent submissions to make regarding rival claims over the subject land. He would further submit that, during the pendency of

the revision before the Board of Revenue, the petitioners had sought summoning of the original land acquisition records by moving an application under Section 32 of the Land Revenue Code, contending that the compensation list was not available in Land Acquisition Case No. 199-A/82/1988-89. The Board of Revenue directed that the original records be called for on 25.05.2015 and subsequently decided the revision on 06.07.2015. It is submitted that the legality and propriety of the impugned orders, including the question whether the revenue authorities duly considered the relevant records and the rival claims of the parties, are matters for consideration by this Court. Since no specific relief has been claimed against the State, learned State counsel refrains from expressing any opinion on the merits of the dispute or the petitioners' entitlement to the reliefs sought in the present petition.

14. I have heard learned counsel for the respective parties, and gone through the orders passed by the revenue authorities and perused the documents annexed with the petition.

15. The question that arises for consideration in the present petition is whether the revenue authorities were justified in reviewing the mutation order dated 15.04.1994 and directing restoration of the name of the original respondent No. 1, Smt. Sukhbati, in respect of the disputed land admeasuring 0.081 hectare, particularly when the petitioner claims to have acquired the land through registered conveyances and submits that the disputed land formed part of the acquisition proceedings undertaken for the benefit of respondent No. 2. The controversy also requires examination of whether the Tahsildar could have declared the subsequent transactions null and void in the course

of mutation proceedings and whether the Board of Revenue adequately considered the petitioner's objection regarding the non-production of the original land acquisition records.

16. From the material available on record, it appears that the original respondent No. 1, Sukhbati, claimed that the land bearing Khasra Nos. 1035/2 and 1289/2 was recorded in her name until the revenue year 1992-93 and that, subsequently, an area of 0.081 hectare was recorded in the name of respondent No. 2 pursuant to Mutation Entry No. 639 and the order dated 15.04.1994. On the other hand, the petitioner claimed that the land had been acquired by the State Government for respondent No. 2 and that, following subsequent transfers in favour of respondent No. 3 and ultimately the petitioner, its name was duly recorded in the revenue records. The order dated 24.08.2006 passed by the Sub-Divisional Officer indicates that permission for review under Section 51 of the Land Revenue Code was granted after noticing that the disputed land did not appear in the list of lands acquired for respondent No. 2 and that the revenue records did not disclose the basis for the mutation made in its favour. These circumstances provided a reason for examining the correctness of the earlier mutation entry; however, the ultimate entitlement of the rival parties could not be determined merely on the basis of the existence or absence of a particular revenue entry.

17. The legal position regarding the evidentiary value of revenue entries is well settled. In **Jitendra Singh v. State of Madhya Pradesh**, 2021 SCC OnLine SC 802, the Hon'ble Supreme Court reiterated that mutation entries neither create nor extinguish title to immovable property and are maintained primarily for fiscal purposes. Where the

parties raise a serious dispute regarding ownership, the appropriate course is to have their respective rights adjudicated by a competent civil court. Applying this principle to the present case, neither the earlier entry in favour of respondent No. 2 nor the subsequent entry in favour of Sukhbati, by itself, conclusively determines title to the disputed land. Equally, the petitioner's claim founded upon registered conveyances cannot be rejected merely because the revenue authorities have subsequently restored the name of Sukhbati. The material question is whether the land was actually included in the acquisition proceedings and, if not, what legal effect follows from the subsequent transfers. Those questions require examination of the underlying acquisition proceedings and the respective title documents, rather than a conclusive determination based solely upon the mutation entries.

18. The petitioner, along with the petition, filed a copy of the compensation disbursement sheet (Annexure P-4), in which the details of the subject land of Kh. No. 1035/2, area 0.081 hect. And Kh. No. 1289/2, area 0.020 Hect., are given at Sr. No. 41 (फ), and a note has been appended. The relevant part of the document Annexure P-4 is as below:-

फ	श्रीमती सुखवती जौ. हीरामन सा. (लोधी पारा), न्यायालय तहसीलदार रायपुर के सीमांकन 37–अ/12 वर्ष 92–93 दिनांक 05/03/93 के अनुसार नक्शा दुरूस्ती के अनुसार	1035/2 1289/2	0.081 0.20 योग– 0.202 0.50	26,520

19. At the end of the said compensation disbursement sheet, another note is appended which is in consonance with the entry No. 41, which reads as under:-

> "पत्रक के अनुकमांक 8,13,16,17,19,22,23,24,26,28,35,43,41 (स, ई, फ), 47,49,50 भुगतान हेतु लंबित है। उक्त राशि को चा. क. 13/11 दि0 2/99 को आर डी मद में जमा किया गया।"

20. From the said entry in the compensation disbursement sheet, it is clear that the compensation with respect to the subject land of Kh. No. 1035/2 and 1289/2 was deposited with the Land Acquisition Officer. The Land Acquisition Proceedings of Land Acquisition Case No. 199/A-82/1988-89 and the award dated 10.12.1990 by the Commissioner, Raipur, could not be disputed by the respondents. It is only disputed that the land of Kh. No. 1035/1 and 1289/1, total area 0.50 acres, was acquired by the State Government, but not the land of Kh. No. 1035/2 and 1289/2, as per the schedule of lands given in the award dated 10.12.1990 (Annexure R-1.6).

21. Another significant aspect of the matter is the jurisdiction exercised by the Tahsildar while passing the order dated 08.05.2009. Although the proceedings originated from an application seeking review of the mutation order dated 15.04.1994, the Tahsildar is stated to have declared the transactions in favour of respondent Nos. 2 and 3 null and void and directed restoration of the name of Sukhbati. The distinction between correcting a revenue entry and adjudicating the validity of registered conveyances is material. Even if the revenue authorities were competent to examine whether the disputed land had been wrongly mutated in favour of respondent No. 2, such jurisdiction would not, by itself,empower them to conclusively adjudicate upon the validity of subsequent registered sale deeds or determine rival proprietary rights. The decision in Jitendra Singh (supra) reinforces this distinction. Consequently, the impugned order requires scrutiny to determine whether the Tahsildar confined the exercise of review to the correction

of revenue records or exceeded the permissible scope of review jurisdiction by declaring the subsequent transactions void.

22. The provisions of Section 51 of the Chhattisgarh Land Revenue Code, 1959, also assume significance, which is necessary to notice here and reads as under:-

> **51. Review of orders.**
> (1) The Board and every Revenue Officer may, either on its/his own motion or on the application of any party interested review any order passed by itself/himself or by any of its/his predecessors in office and pass such order in reference thereto as it/he thinks fit :
> Provided that-
>
> (i) if the [Commissioner] [Inserted by Act No. 17 of 2008], Settlement Commissioner, Collector or Settlement Officer thinks it necessary to review any order which he has not himself passed, he shall first obtain the sanction of the Board, and if an officer subordinate to a Collector or Settlement Officer proposes to review any order, whether passed by himself or by any predecessor, he shall first obtain the sanction in writing of the authority to whom he is immediately subordinate;
>
> (i-a) no order shall be varied or reversed unless notice has been given to the parties interested to appear and be heard in support of such order;
>
> (ii) no order from which an appeal has been made, or which is the subject of any revision proceedings shall, so long as such appeal or proceedings are pending be reviewed;
>
> (iii) no order affecting any question of right between private persons shall be reviewed except on the application of a party to the proceedings, and no application for the review of such order shall be entertained unless it is made within ninety days from the passing of the order.
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> 2. No order shall be reviewed except on the grounds provided for in the Code of Civil Procedure, 1908 (V of 1908).
> 3. For the purposes of this section the Collector shall be deemed to be the successor in office of any Revenue Officer who has left the district or who has ceased to exercise powers as a Revenue Officer and to whom there is no successor in the district.
> 4. An order which has been dealt with in appeal or on revision shall not be reviewed by any Revenue Officer subordinate to the appellate or revisional authority.

23. The power of review is subject to statutory safeguards, including the requirement of notice to interested parties before an order is varied or reversed and the requirement that review be sought on legally permissible grounds. In the present case, the petitioner asserts that, before the Tahsildar passed the order dated 08.05.2009, the land had already been transferred through registered conveyances and that the petitioner's interest was disclosed in the proceedings. If the petitioner was a person whose recorded or claimed rights were directly affected by the proposed review, the authority was required to consider the necessity of impleading the petitioner and affording an effective opportunity of hearing. The failure to hear an affected party cannot be treated as a mere procedural irregularity where the order has the effect of altering the existing revenue entries and prejudicing that party's interests. The principles of natural justice, therefore, require examination of whether the petitioner was afforded a reasonable opportunity before the impugned order was passed.

24. The petitioner's objection concerning the original land acquisition records also warrants consideration. It is not in dispute that the petitioner moved an application under Section 32 of the Land Revenue Code seeking production of the original records of Land Acquisition Case No. 199-A/82/1988-89 and specifically claimed that the compensation list relied upon by it was not available in the record before the Board of Revenue. The Board, on 25.05.2015, directed that the original records be called for, but the revision was subsequently dismissed on 06.07.2015. In these circumstances, the relevant question is whether the Board actually secured and examined the records it had directed to be produced and whether the petitioner's

documentary material and objections were duly considered before the revision was decided. If a material document necessary for determining whether the disputed land formed part of the acquisition proceedings was not examined, the decision would require reconsideration on that ground. The mere fact that the Board of Revenue passed an order after directing production of the record would not, by itself, establish that the relevant evidence was duly considered.

25. So far as the objection regarding the statutory remedy of appeal under Section 44 of the Land Revenue Code is concerned, the same must be considered in the context of the proceedings actually undertaken and the nature of the jurisdiction invoked by the petitioner. Nevertheless, the existence of an alternative remedy does not, by itself, exclude the supervisory jurisdiction of this Court where a subordinate authority is alleged to have acted beyond its jurisdiction or violated the principles of natural justice. In **Radhey Shyam v. Chhabi Nath**, (2015) 5 SCC 423, the Hon'ble Supreme Court explained that the jurisdiction under Article 227 is supervisory and is to be exercised sparingly, particularly where interference is necessary to keep subordinate courts and tribunals within the bounds of their authority. In the present case, the combined effect of the petitioner's objection regarding the absence of the original acquisition records, the alleged failure to afford it an opportunity of hearing, and the Tahsildar's declaration concerning the subsequent transactions requires the impugned orders to be tested against the limits of revenue jurisdiction. The subsequent implementation of the Tahsildar's order in the revenue records does not, by itself, cure any jurisdictional defect in the order. Equally, the registered Will dated 27.07.2015 relied upon by Dr. Subha Dubey and the claim of the other

legal representatives concern representation of the estate of the deceased respondent No. 1 and do not independently determine title to the disputed land.

26. Accordingly, the appropriate course would be to interfere with the impugned order dated 06.07.2015 and the order dated 08.05.2009. Hence, the order dated 06.07.2015 passed by the Board of Revenue and the order dated 08.05.2009 passed by the Tahsildar, Raipur, are **set aside**, and the matter is remitted back to the Tahsildar, Raipur, for fresh consideration in accordance with law, after affording an opportunity of hearing to all affected parties and examining the relevant land acquisition records. The writ petition is **allowed** to the above extent.

27. The parties are directed to appear before the Tahsildar, Raipur, on **18.11.2026**, and then the Tahsildar shall proceed in the case in accordance with law. It is clarified that no opinion is being expressed on the ultimate title of the rival parties, which shall remain open to adjudication before the competent civil court.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Alok