CGHC010397032026 2026:CGHC:44187

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPC No. 5238 of 2026**

**1 -** Mohammad Taufeeq Memon S/o Mohammad Iqbal Aged About 39 Years R/o Ward No. 02, Masjid Gali, Raza Nagar, Keshkal, District Kondagaon Chhattisgarh

**2 -** Mohammad Fazaluddin Nirwan S/o Shamsuddin Nirwan Aged About 65 Years R/o Balaji Ward, Jagdalpur, District Bastar Chhattisgarh

PRIYANKA VERMA
Digitally signed by PRIYANKA VERMA
Date: 2026.10.14 13:53:06 +0530

**... Petitioners**

**versus**

**1 -** State Of Chhattisgarh Through The Secretary, Revenue Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Chhattisgarh

**2 -** Commissioner, Bastar Division, Jagdalpur, District Bastar, Chhattisgarh

**3 -** Collector And District Magistrate Bastar, Jagdalpur, District Bastar, Chhattisgarh

**4 -** Sub-Divisional Officer (Revenue) Jagdalpur, District Bastar, Chhattisgarh

**5 -** Tahsildar Jagdalpur, District Bastar, Chhattisgarh

**6 -** Smt. Phoolo W/o Bhagwani Sahu Aged About 84 Years R/o Patharaguda, Civil Lines, Jagdalpur, District Bastar, Chhattisgarh

**7 -** Kamaldeo Jha S/o Late Sadanand Jha Aged About 56 Years R/o Dindayal Upadhyay Ward, Azad Chowk, Jagdalpur, District Bastar, Chhattisgarh

**8 -** Saket Jha S/o Kamaldeo Jha Aged About 32 Years R/o Dindayal Upadhyay Ward, Azad Chowk, Jagdalpur, District Bastar, Chhattisgarh

**9 -** Hemeshwari Nag Janpad Member, Area No. 09, Dhanpunji Janpad Panchayat, Nagarnar, Jagdalpur, District Bastar, Chhattisgarh

**... Respondents**

| | | |
|---|---|---|
| For Petitioners | : | Mr. Syed Mohammad Sohail Afzal, Advocate |
| For State | : | Mr. Sangharsh Pandey, GA |

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

**Order on Board**

**13/10/2026**

1. The petitioners, in this Writ Petition, have prayed for the following reliefs:-

> *"10.1 Issue an appropriate writ, order or direction, particularly in the nature of Certiorari, quashing the order dated 17.12.2024 passed by the Collector & District Magistrate, Bastar, Jagdalpur in Revenue Case No. 30/A-21/2022-23 (Annexure P-1), insofar as the same travels beyond the scope of the remand made by this Hon'ble Court vide order dated 09.02.2024 passed in W.P.(C) No.3144/2022.*
>
> *10.2 Quash the consequential appellate order dated 14.07.2026 passed by the Commissioner, Bastar Division, Jagdalpur in Appeal No. 202412950100018/A21(4)/2023-24 (Annexure P-2), whereby the order dated 17.12.2024 passed by the Collector has been affirmed;*
>
> *10.3 To direct the competent authority to consider and decide the petitioners' application for confirmation of the registered sale deed dated 16.10.2019 strictly in accordance with law and in accordance with the scope of the order dated 09.02.2024 passed by this Hon'ble Court, without treating the impugned order dated 17.12.2024 as a valid annulment of the order dated 24.01.2018;*

*10.4 To grant any other relief, direction or order which this Hon'ble Court may deem fit and proper in the interest of justice."*

2. Learned counsel for the petitioners submits that the Collector, while deciding the application for confirmation of sale, travelled beyond the scope of remand and cancelled the earlier order dated 24.01.2018 passed by the SDO (Revenue), deleted the petitioners' revenue entries and declared the entire land as Government land. He further submits that the Commissioner has erroneously affirmed the Collector's order despite the lack of jurisdiction and violation of the principles of natural justice. Therefore, the impugned orders deserve to be set aside.

3. Learned State counsel submits that the petitioners have an alternative remedy of challenging the impugned order before the competent State authority. Therefore, the present writ petition is not maintainable.

4. Having considered the submissions made by learned counsel for the parties, this Court is of the view that the petitioners have an alternative remedy of challenging the order dated 14.07.2026 passed by the concerned Commissioner, Bastar Division, before the State Government by way of revision under Part IV of the Revenue Book Circular. Accordingly, the petitioners are at liberty to approach the concerned State authority within 30 days from the date of receipt of a copy of this order, and the concerned authority is directed to consider and decide the revision within 90 days, in accordance with law.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

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

7. Registry is directed to return the certified copy after retaining photocopy of the same.

Sd/-
**(Amitendra Kishore Prasad)**
**Judge**

*Priyanka*