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RAVVA UTTEJ KUMAR RAJU Digitally signed by RAVVA UTTEJ KUMAR RAJU Date: 2026.10.27 16:06:56 +05'30'

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5368 of 2026

1 - Rameshwar Prasad Yadav S/o Late Damrudhar Prasad Yadav Aged About 60 Years R/o Village Tukupakhana, Tahsil-Pathalgaon, District Jashpur (C.G.)

... Petitioner

Versus

1 - State of Chhattisgarh Through The Secretary, Revenue Department Manatralay, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District Raipur (C.G.)

2 - Collector, Jashpur, District Jashpur (C.G.)

3 - Sub Divisional Officer (Revenue) Pathalgaon, District Jashpur (C.G.)

4 - Additional Tahsildar (Revenue) Pathalgaon, District Jashpur (C.G.)

5 - Garib Sai Bada, Sarpanch, Gram Panchayat Raghunathpur, Tahsil Pathalgaon, District Jashpur (C.G.)

... Respondents

(Cause title is downloaded from CIS Periphery.)

For Petitioner	:	Mr. Jitendra Kumar Saxena, Advocate.
For State	:	Mr. Hariom Rai, P.L.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

27/10/2026

1. At the very outset, learned counsel for the petitioner submits that he does not want to press (I.A. No. 02/2026), which is an application for exemption from filing the documents annexed in the instant petition.

2. Consequent upon the same, the application (I.A. No. 02/2026) stands dismissed.

3. Learned counsel for the petitioner is directed to file the relevant documents along with legible typed copies thereof within 10 working days.

4. The present writ petition has been preferred challenging the order dated 25.06.2026 passed by the Court of the Additional Tahsildar, Pathalgaon, District Jashpur (C.G.), in Revenue Case No. 202602033100016/B-121/2025-26, whereby the deletion of the name of Jugeshwar, the predecessor-in-interest of the petitioner, from the revenue records pertaining to the ancestral land bearing Khasra No. 49/2, admeasuring 3.38 acres, situated at Village Tukupakhna, Patwari Halka No. 18, Tahsil Pathalgaon, District Jashpur (C.G.), has been directed on the ground of an alleged clerical error. Aggrieved by the aforesaid order, the petitioner is seeking the following reliefs:

> “10.1 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction, quashing the impugned order dated 25.06.2026 passed by the Additional Tahsildar, Pathalgaon, District Jashpur, Chhattisgarh, in Revenue Case No. 202602033100016/B-121/2025-26, whereby the name

of Jugeshwar has been directed to be deleted from Khasra No. 49/2.

10.2. That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the Respondent Revenue Authorities to maintain the existing revenue entries pertaining to Khasra No. 49/2, admeasuring 3.38 acres, situated at Village Tukupakhna, Patwari Halka No. 18, Tahsil Pathalgaon, District Jashpur, Chhattisgarh, and to protect the Petitioner's rights and interests therein, subject to adjudication in accordance with law.

10.3 That, this Hon'ble Court may kindly be pleased to issue an appropriate writ, order or direction restraining the Respondent Authorities from implementing the impugned order dated 25.06.2026 and from making any consequential changes in the revenue records pertaining to the subject land during the pendency of the present writ petition.

10.4 That, this Hon’ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the concerned Respondents to stop further construction of the Anganwadi Centre over the disputed portion measuring approximately 20 decimals of Khasra No. 49/2 and to maintain status quo with respect to the nature and possession of the said land during the pendency of the present writ petition.

10.5 That, this Hon’ble Court may kindly be pleased to issue an appropriate writ, order or direction directing the competent revenue authorities to consider and decide the Petitioner’s pending statutory appeal and claim/objection in accordance with law, after affording due opportunity of hearing to all concerned parties.

10.6 That, this Hon’ble Court may kindly be pleased to grant any other relief or pass such further order(s) as it

may deem fit and proper in the facts and circumstances of the present case, including the costs of the petition."

5. The brief facts of the case, as projected by the petitioner, are that the present writ petition concerns ancestral land bearing Khasra No. 49/2, admeasuring 3.38 acres, situated at Village Tukupakhna, Patwari Halka No. 18, Tahsil Pathalgaon, District Jashpur (C.G.), which was recorded in the name of the petitioner's ancestor, Budhno Mahkul, in the Misal Bandobast records of 1931-32, and thereafter in the name of his son, Jugeshwar. The petitioner claims to have succeeded to the rights and interests in the subject land as one of the legal heirs of Jugeshwar. On 02.02.2026, the petitioner submitted an application before the Additional Tahsildar, Pathalgaon, alleging that Shri Garib Sai Bada, Sarpanch of Gram Panchayat Raghunathpur, had unlawfully encroached upon approximately 20 decimals of the subject land and commenced excavation for the construction of an Anganwadi Centre without his consent or lawful authority. The said application was registered as Revenue Case No. 2026020331000016/B-121/2025-26, wherein, by order dated 25.06.2026, the Additional Tahsildar, relying upon the Patwari's inspection report, held that the name of Jugeshwar had been erroneously recorded in Khasra No. 49/2 and directed its deletion from the revenue records, along with consequential corrections within seven days. Aggrieved by the said order, the petitioner preferred a statutory appeal on 15.07.2026 before the Sub-Divisional Officer (Revenue),

Pathalgaon, which is pending adjudication. During the pendency of the appeal, separate proceedings were initiated before the Additional Tahsildar in Revenue Case No. MD202526560102200003, titled *State of Chhattisgarh v. Jugeshwar*, concerning correction of the revenue entries pertaining to the subject land. Pursuant to the public notice dated 13.08.2026, the petitioner submitted his claim and objection on 01.09.2026, asserting his ancestral rights and opposing the proposed deletion or alteration of the existing revenue entries. The said objection is also stated to be pending consideration before the competent revenue authority.

6. Learned counsel appearing for the petitioner submits that the respondent authorities are proceeding to delete the name of the petitioner's predecessor-in-interest from the ‘Jamabandi’ records in respect of the subject land, pursuant to which the Additional Tahsildar (Revenue), Pathalgaon, District Jashpur (C.G.), has passed the impugned order dated 25.06.2026. He further submits that the petitioner has already assailed the aforesaid order before the Sub-Divisional Officer (Revenue), Pathalgaon, District Jashpur (C.G.), by preferring a statutory appeal along with an application under Section 52 of the Chhattisgarh Land Revenue Code, 1959, which are pending consideration before the appellate authority. However, during the pendency of the said appeal, the Additional Tahsildar has initiated separate proceedings and issued a notice as well as an *Ishtahar* for deletion of the name of the petitioner's

predecessor-in-interest from the revenue records. He, therefore, submits that, apprehending that consequential action may be taken during the pendency of the appeal, the petitioner has approached this Court seeking appropriate reliefs.

7. On the other hand, learned counsel appearing for the State submits that, since the statutory appeal preferred by the petitioner against the impugned order is already pending consideration before the Sub-Divisional Officer (Revenue), Pathalgaon, District Jashpur (C.G.), the petitioner ought to pursue the remedy available before the appellate authority. It is, therefore, contended that the present writ petition is not maintainable at this stage.

8. Having heard learned counsel for the parties and upon consideration of the material available on record, this Court finds that the statutory appeal preferred by the petitioner before the Sub-Divisional Officer (Revenue), Pathalgaon, District Jashpur (C.G.), along with an application under Section 52 read with Section 32 of the Chhattisgarh Land Revenue Code, 1959, and Section 151 of the Code of Civil Procedure, 1908 as well as application under Section 43 of the C.G.L.R.C read with Section 151 of CPC are pending consideration since July, 2026, without any final adjudication. In the meantime, further proceedings have been initiated by the revenue authorities for deletion of the name of the petitioner's predecessor-in-interest from the Jamabandi records in respect of the subject land. In the considered opinion of this Court, when the petitioner's challenge to the impugned order

is already pending consideration before the competent appellate authority, it would be appropriate to protect the right of the petitioner in respect of subject matter of the appeal from being rendered ineffective by any consequential alteration in the revenue records during its pendency. Accordingly, the concerned revenue authorities are directed not to take any coercive steps against the petitioner and shall maintain the existing revenue entries pertaining to the subject land, without carrying out any correction or deletion of the name of the petitioner's predecessor-in-interest and the parties shall maintain status quo in respect of land in question until the appeal is decided by the competent appellate authority. The Sub-Divisional Officer (Revenue), Pathalgaon, District Jashpur (C.G.), is further directed to consider and decide the appeal preferred by the petitioner, in accordance with law, expeditiously, preferably within a period of 45 days from the date of receipt of a copy of this order.

9. It is made clear that this Court has not expressed any opinion on the merits of the dispute, and the appellate authority shall decide the matter independently, on its own merits and in accordance with law.

10. With this observation and direction, the petition stands **disposed of.**

Sd/-

(Amitendra Kishore Prasad)
Judge

U.K. Raju