CGHC010412932026 2026:CGHC:44966

NAFR

VISHAKHA BEOHAR

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5322 of 2026

1 - Samsul Haq Ansari S/o Mojib Ansari, Aged About 45 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

2 - Aslam Ansari, S/o Mujidul, Aged About 46 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

3 - Md. Farukh Ansari Alias Fakhruddin, S/o Amiruddin, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

4 - Jalauddin Shah, S/o Saraj Shah Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

5 - Imtiyaz Ansari Alia Imtiyaz Julaha, S/o Mehbub Julaha Aged About 45 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

6 - Irfan Ansari, S/o Mojib Ansari, Aged About 33 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

7 - Gulam Rabbani, S/o Khaleel, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

8 - Taimun Nisha, W/o Late Abdul Sattar Ansari, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

9 - Hasnain Alam S/o Israil Asmani Aged About 39 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

10 - Meghnath Lakra, S/o Dhansai Lakra, Aged About 43 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

11 - Mohujuddin, S/o Sarafuddin, Aged About 50 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

12 - Moh. Hasnain Ansari, S/o Abdul Gajid, Aged About 64 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

13 - Moh. Babar Ali, S/o Umar Ali, Aged About 51 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

14 - Smt. Jamila Khatoon, W/o Munna Ansari, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

15 - Iftikhar Alam S/o Late Jafar Alam Aged About 50 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

16 - Tarikh Anwar, S/o Khaleel Ansari, Aged About 28 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

17 - Naseem Hajaam S/o Kayum, Aged About 45 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

18 - Smt. Rabiya Bibi, W/o Hasnain Alam, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

19 - Khaleel Ansari, S/o Jainul Ansari, Aged About 42 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District

Sarguja (C.G.)

20 - Mahtab Ansari, S/o Mojib Ansari, Aged About 46 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

21 - Md. Jahiruddin Ansari, S/o Hussain Sheikh Aged About 53 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

22 - Noorjahan Khatoon W/o Firoz Alam Aged About 30 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

23 - Shameem Alam, S/o Akhtar Ansari, Aged About 38 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

24 - Nazbuddin, S/o Moh. Haidar Khalifa, Aged About 62 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

25 - Chand Rabbani, S/o Moh. Habib, Aged About 35 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

26 - Shahid Ansari, S/o Subhani Ansari, Aged About 40 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

27 - Saleem Ahemad, S/o Vasi Ahemad, Aged About 42 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

28 - Parvez Alam, S/o Abdul Majib, Aged About 45 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

29 - Jabida Khatoon, W/o Moh. Sameem Ansari, Aged About 21 Years R/o Ward No. 41, Atal Chowk, Nawagarh, P.S. And Tehsil - Ambikapur, District Sarguja (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mantralaya, Mahanadi Bhawan, Capital Complex, Atal Nagar, Nawa Raipur District Raipur (C.G.)
2 - The Secretary, Forest Department, Mahanadi Bhawan, Capital Complex, Atal Nagar, Nawa Raipur District Raipur (C.G.)
3 - Commissioner, Surguja Division, Ambikapur, District Surguja (C.G.)
4 - Collector, Surguja, Ambikapur District Surguja (C.G.)
5 - Sub Divisional Officer, Surguja, Ambikapur District Surguja (C.G.)
6 - Tehsildar, Surguja, Ambikapur District Surguja (C.G.)
7 - Nazul Officer, Tehsil - Ambikapur District Surguja (C.G.)
8 - Divisional Forest Officer, Forest Division, Surguja, District Surguja (C.G.)
9 - Forest Range Officer, Forest Range, Ambikapur District Surguja (C.G.)
10 - Commissioner, Municipal Corporation, Ambikapur District Surguja (C.G.)
11 - Station House Officer, Police Station Ambikapur District Surguja (C.G.) **... Respondent(s)**

For Petitioner(s)	:	Mr. Sunil Tripathi, Advocate.
For State	:	Mr. Sangharsh Pandey, G.A.
For Respondent No. 10	:	Mr. Arpit Singh, Advocate on behalf of Mr. Bhupendra Singh, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

26/10/2026

1. The defect pointed out by the Registry is overruled. Accordingly, the matter is heard finally.

2. By way of this petition, the petitioner has prayed for following reliefs:-

> *"10.1. Issue an appropriate writ, order or direction, including a writ in the nature of Certiorari, for quashing and setting aside the order dated 16.07.2026 (Annexure P-1) passed by the Nazul Officer, Ambikapur,*
>
> *10.2. Issue an appropriate writ, order or direction commanding the Respondent authorities not to take any coercive action against the Petitioners, including eviction, dispossession, demolition or removal of the Petitioners from their respective residential houses situated over the subject land, in pursuance of the order dated 29.07.2025 passed by the Collector, Surguja, during pendency of the revenue proceeding (Revenue case no. 202509960100068/B-121/2024-25), arising out of the said order before the learned Commissioner, Surguja Division;*
>
> *10.3 Issue an appropriate direction that until the final adjudication of the aforesaid revenue proceeding Revenue case no. 202509960100068/B-121/2024-25, is pending before the learned Commissioner, the Respondent authorities shall maintain status quo with regard to the possession of the Petitioners over their respective residential houses and restrain the Respondent authorities from taking any coercive steps pursuant to the order dated 29.07.2025 passed by the Collector, Surguja;*

10.4. Grant any other relief, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

3. Learned counsel for the petitioners submits that, being aggrieved by the rejection of their application for grant of lease/patta by the competent Nazul Officer, Ambikapur, the petitioners have preferred an appropriate revision petition before the Commissioner, Surguja Division. It is further submitted that, vide order dated 16.09.2025, the competent Commissioner rejected the petitioners' application for grant of stay under Section 52 read with Section 32 of the Chhattisgarh Land Revenue Code, 1959. However, the revision petition itself has not been decided till date, and in the meantime, the petitioners apprehend coercive action, including eviction and demolition of their residential houses, pursuant to the order passed by the Collector, Surguja.

4. Learned State counsel, opposing the petition, submits that the impugned order has been passed by the competent authority in accordance with law and that the petitioners have already availed the statutory remedy of revision before the Commissioner, Surguja Division. It is further submitted that the petitioners cannot claim any protection against consequential action merely because the revision petition is pending, particularly when their application for grant of lease/patta has been rejected by the competent authority.

5. Learned counsel appearing on behalf of respondent No. 10, Municipal Corporation, Ambikapur, adopts the submissions made by learned State counsel and submits that the Municipal Corporation is acting in accordance with law and that no interference by this Court is warranted in the present petition.

6. I have heard learned counsel for the parties and perused the material available on record.

7. Considering the facts and circumstances of the case and the limited prayed made by the petitioner..0, the Commissioner, Surguja Division, is directed to decide the pending revision petition preferred by the petitioners within a period of 30 days from the date of receipt of a copy of this order.

8. Until the revision petition is decided, the respondent authorities are directed not to take any coercive steps against the petitioners.

9. With the aforesaid directions, the petition stands **disposed of.**

sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha