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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5420 of 2026

1 - Dilip Bafna S/o Late T.C. Bafna Aged About 58 Years R/o Ambedkar Ward, Tehsil Jagdalpur, District Bastar, Chhattisgarh

2 - Salima Dani W/o Avinash Kumar Dani Aged About 56 Years R/o 450, In Front Of Durga Mandir, Shantinagar, Ward No. 25, Tehsil Jagdalpur, District Bastar, Chhattisgarh

3 - Manju Jha W/o Late Dinesh Jha Aged About 53 Years R/o Gandhi Nagar Ward, Tehsil Jagdalpur, District Bastar, Chhattisgarh

4 - Mohammad Aman Gaus Khan S/o Mahammad Azmat Khan Aged About 35 Years R/o Sadar Ward No. 10, Tehsil Jagdalpur, District Bastar, Chhattisgarh

5 - Zyaul Haque S/o Md. Shamim Aged About 32 Years R/o Durga Mandir, Mother Teresa Ward, Tehsil Jagdalpur, District Bastar, Chhattisgarh

6 - Preeti Baghmar W/o Pramod Baghmar Aged About 35 Years R/o Middle School Gali, Village Hatakchora, Vivekanand Ward, Jagdalpur, District Bastar, Chhattisgarh

7 - Ashlata Singh D/o B.L. Singh Aged About 37 Years R/o Rajiv Gandhi Ward No. 33, Pandey Line, Jagdalpur, District Bastar, Chhattisgarh

8 - Md. Tarik S/o Anis Ahmad Aged About 37 Years R/o Anukuldev Ward, Hart Kachore, Jagdalpur, District Bastar, Chhattisgarh

9 - Kalawati Dubey W/o Rajkumar Dubey Aged About 63 Years R/o Khaspara, Near Atal Chowk, Adwal, Jagdalpur, District Bastar, Chhattisgarh

... Petitioner(s)

versus

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

2 - The Collector District Bastar, Jagdalpur, Chhattisgarh

3 - The Additional/ Upper Collector District Bastar, Jagdalpur Chhattisgarh

4 - The Tahsildar Tahsil Jagdalpur, District Bastar, Chhattisgarh

5 - Rupesh Kumar Jain S/o Prakashchandra Jain R/o Subhash Ward, Jagdalpur, District Bastar, Chhattisgarh

... Respondent(s)

(Cause title taken from CIS System)

For Petitioner(s)	**:**	Mr. Syed Mohammad Sartaz Afzal, Advocate
For Respondent(s)	**:**	Mr. Anil Pandey, GA

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

26.10.2026

1. The petitioners have filed this petition with the following reliefs:-

> *" 10.1 Issue an appropriate writ, order or direction, particularly a writ in the nature of certiorari, quashing the impugned order dated 15.10.2026 passed by the Additional / Upper Collector, District Bastar, Jagdalpur, in Revenue Appeal Case No. 202302950100009/A-70/2022-23 (Anneexure P-1).*

10.2 Direct the competent revenue authority to examine the petitioners' registered sale deeds, existing revenue records, maps and possession before undertaking any subdivision, red-ink demarcation or cancellation of existing demarcations affecting their lands.

10.3 Direct the respondents to preserve the existing revenue records and maps concerning the petitioners' lands until the dispute is reconsidered in accordance with law.

10.4 Pass appropriate orders concerning authority of the officer who passed the impugned order, after examination of the transfer order dated 29.09.2026 and any relevant relieving, joining, posting or authorization orders.

10.5. Any other relief/reliefs which this Hon'ble Court may think fit and proper in the facts and circumstances of the case, with the cost of the petition, may also please be granted to the petitioner."

2. Learned counsel appearing for the petitioners submits that the impugned order dated 15.10.2026 has been passed by the Additional Collector, District Bastar, Jagdalpur (C.G.), without

impleading the petitioners as parties, despite the fact that they are necessary and interested parties in the matter. It is further submitted that the petitioners have constructed boundaries on the land in question on the basis of registered sale deeds executed by Shanti Devi, who is purported to be the owner of the said land. Learned counsel further submits that taking advantage of the non-impleadment of the petitioners in the proceedings, the impugned order has been obtained behind their back. It is contended that, on the basis of the said order, Respondent No. 5 is now attempting to interfere with the petitioners' possession over the land in question and is further trying to demolish the existing superstructures. In view of the aforesaid circumstances, the petitioners seek the limited relief of being granted a period of one month to institute appropriate proceedings, including a petition or suit etc., before the competent court of law and further seek protection against any interference by the respondents with their possession over the property in question during the said period.

3. Learned counsel for the State submits that the petitioners ought to have approached the concerned authorities/courts in accordance with law, but instead, they have directly filed the present petition.

4. Having heard learned counsel for the parties and upon due consideration of the facts and circumstances of the case, particularly the fact that the petitioners were not impleaded as parties before the concerned Revenue Courts and that the order

dated 15.10.2026 was passed behind the backs of the petitioners, without affording them an opportunity of hearing, this Court, without commenting any opinion on the merits of the case, deems it appropriate to relegate the petitioners to avail themselves of the remedies available under law by approaching the competent authorities/courts through appropriate applications/ petitions/ suits etc.,. For the said purpose, the petitioners are granted **a period of 30 days from today** to approach the competent authorities/courts in accordance with law. Until the expiry of the aforesaid period, all concerned authorities as well as the respondent are directed not to take any coercive action in pursuance of the order dated 15.10.2026.

5. It is made clear that this Court has not expressed any opinion on the merits of the case. The present order is being passed solely in view of the ongoing festive holidays, during which the Courts remain closed and to ensure that no encroachment or other action prejudicial to the interests of the petitioners is undertaken during the period of such holidays.

6. With this observation and direction, this petition stands disposed of.

SD/-
(Amitendra Kishore Prasad)
Judge

AMIT PATEL