CGHC010424252026 2026:CGHC:45698

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5433 of 2026

1 - Bebi Nisha W/o Israr, Aged About 56 Years R/o. Ward No. 3- Balrampur, P.S And Tahsil- Balrampur Distt. Balrampur, Ramanujganj (Cg)

... Petitioner(s)

versus

1 - State of Chhattisgarh Through - The Department Of Revenue, Mahanadi Bhawan -New Raipur, District (C.G.)

2 - The Secretary, Department Of Forest Mahanadi Bhawan New Raiur Distt - Raipur (C.G.)

3 - The Collector - Balrampur Chairman Of The District Level Van Adhikar Committee - Balrampur, Distt- Balrampur - Ramanujganj (C.G.)

4 - The Sub-Divisional Officer (Revenue) Chairman Of Divisional Level Van Adhikar Samiti - Ramanujganj Distt. Balrampur - Ramanujganj (C.G.)

5 - Tahsildar - Balrampur, Distt- Balrampur - Ramanujganj (C.G.)

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. A.N. Pandey, Advocate
For State/Respondent	:	Mr. Avinash Chand Sahu, Dy. A.G. appears on advance copy

SB: Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

29/10/2026

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

> “10.1 That, this Hon'ble court may kindly be pleased to direct the respondent no.3 to consider and decide the application filed by the petitioner for grant of Van Adhikar Patta of the subject land bearing khasra no. 17 rakba 0.010 hectare, situated at Balrampur Tahsil-Balrampur, Distt- Balrampur - Ramnujgnaj (C.G) ANNEXURE P/4 within stipulated period.
>
> 10.2 That, this Hon'ble court may kindly be pleased to set aside of the eviction notice dated 14.10.2026 issued by the respondent no.5 ANNEXURE P/5 and further be please to restrain the respondent authorities to not dispossess the petitioner from the subject land and house till the final decision of the application for grant of Van Adhikar Patta of the subject land of petitioner.
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> 10.3 Any other relief or reliefs may also be granted to the petitioner which this Hon'ble court deems fit and proper in the facts and circumstances of the case.”

2. Learned counsel appearing for the petitioner submits that the petitioner has been in possession of the land in question for the last four decades. He submits that an application for grant of Patta/lease was filed by the petitioner on 09.06.2026. It is further submitted that an eviction/removal order has been passed against the petitioner on 14.10.2026 in Revenue Case No. 202505271200209/अ-68/2024-25. However, the petitioner has not preferred any appeal against the said

order. Learned counsel further submits that an application for settlement of the land is also pending consideration before the competent authority.

3. Learned Deputy Advocate General appearing for the State/respondents, on advance copy, submits that the petitioner has an efficacious alternative remedy of preferring an appeal against the order dated 14.10.2026 and, therefore, the petitioner may be relegated to avail the said remedy in accordance with law.

4. Heard counsel for the parties and perused the material available on record.

5. Considering the aforesaid submissions and the fact that the petitioner has an alternative statutory remedy available against the order dated 14.10.2026, the petitioner is relegated to avail the said remedy by filing an appeal before the competent appellate authority within a period of 15 days from today, along with an appropriate application for stay.

6. In the event the petitioner files such an appeal along with an application for stay within the aforesaid period, the competent appellate authority is directed to consider the application for stay and pass an appropriate order thereon, in accordance with law, expeditiously.

7. Till the expiry of a period of 15 days from the date of receipt of copy of this order, the respondent authorities shall not take any coercive steps against the petitioner pursuant to the order dated 14.10.2026.

8. It is made clear that this Court has not expressed any opinion on the merits of the case. The competent authority shall consider the appeal

and the application for stay strictly in accordance with law, uninfluenced by any observation made in this order.

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

Sd/-

(Amitendra Kishore Prasad)

Judge

Ruchi