2026:CGHC:13055

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1174 of 2026

Mohanlal S/o Sonau Aged About 66 Years R/o Jaijaipur, Tehsil Jaijaipur, District-Sakti (C.G.)

--- **Petitioner**

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan , Atal Nagar, Nava Raipur District- Raipur (C.G.)

2 - Tehsildar , Tehsil - Jaijaipur, District- Sakti (C.G.)

3 - Vinay Kumar Agrawal S/o Kapurchand Agrawal Aged About 44 Years R/o Sakti, Tehsil Sakti, District- Sakti (C.G.)

--- **Respondent(s)**

For Petitioner	:	Ms. Hameeda Siddiqui, Adv.
For Respondents No. 1 and 2	:	Mr. Shobhit Mishra, Dy. Govt. Adv.

Hon'ble Shri Justice Naresh Kumar Chandravanshi

Order On Board

18-3-2026

1. The petitioner has preferred this writ petition under Article 226 of the Constitution of India seeking following reliefs :-

10.1 That, the Hon'ble court may kindly be pleased to quash/ set aside the impugned 19/02/2026 and vacate the stay order passed in revenue case no. 202602310800033/B-121/2025-26, by respondent no. 2-Tehsildar, Jaijaipur (Annexure P-1) and dismiss the application filed by the respondent no. 3 and quash/set aside entire proceedings in respect of revenue case no. 202602310800033/B-121/2025-26, being non-maintainable, pending before the Respondent no. 2 and the petitioner be allowed to resume construction over his private land.

10.2 That, this Hon'ble Court may kindly be pleased to grant any other relief, as it may deems fit and appropriate.

2. Learned counsel for the petitioner would submit that, the petitioner is recorded owner and occupant of land bearing Khasra No. 5515/6 area 0.07 acre, situated at Jaijaipur, Tehsil Jaijaipur, distt. Sakti (CG) and adjacent land bearing Khasra No. 5515/3 is land of private respondent No. 3. The petitioner is raising construction over his land Khasra No. 5515/6, despite that, on false complaint made by respondent No. 3, the respondent No. 2/ Tahsildar Jaijaipur, Distt. Sakti has passed order (Annexure P-1) dated 19-2-2026 of status quo in Revenue Case No. 202602310800033/B-121/2025-2026, whereas it is settled law that, revenue courts have no power to grant stay. Therefore, order (Annexure P-1) of status quo dated 19-2-2026 passed by the respondent No. 2/ Tahsildar may be quashed and this petition may be allowed.

3. Learned counsel appearing for the State would submit that, since complaint has been received by respondent No. 2/Tahsildar from respondent No. 3 that the petitioner has encroached some portion of his land bearing Khasra No. 5515/3, therefore, aforesaid revenue case has been initiated and order of status quo has been passed by the respondent no. 2.

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

5. This Court in **W.P. No. 235/2020 (Smt. Vandana Gupta Vs. State of CG and ors.),** vide order dated 16-9-2021 and in various other cases, has held that, power to grant injunction is vested in the jurisdictional civil court, revenue court cannot grant order of injunction. In that view of the matter, the impugned order (Annexure P-1) of status quo passed by the respondent No. 2/ Tahsildar, Jaijaipur dated 19-2-2026 in revenue Case No. 202602310800033/B-121/2025-2026, is quashed to the extent of order of status quo. Remaining proceeding may go on.

6. With the above observations and directions, this writ petition is disposed of.

7. Pending interlocutory application(s), if any, stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

pathak