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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2190 of 2026

Neelmani Lakda W/o Marianus Lakda Aged About 50 Years R/o Village-
Gangapur, Nalapara Road, Ambikapur, District- Surguja (C.G.)

... Petitioner

versus

- 1 - State Of Chhattisgarh Through- Secretary, Revenue And Disaster
Managment Department, Mantralaya, Mahanadi Bhawan, Capital
Complex, Atal Nagar, Nawa Raipur, District- Raipur (C.G.)
- 2 - Collector Surguja Ambikapur, District- Surguja (C.G.)
- 3 - Tahsildar Nazul, Ambikapur, District- Surguja (C.G.)

... Respondents

(Cause-title is taken from Case Information System)

For Petitioner	:	Mr. Anurag Singh, Advocate
For State	:	Mr. Amit Nayak, Panel Lawyer

Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

27.07.2026

1. After arguing the matter at length, learned counsel for the
petitioner seeks permission to withdraw the present writ petition
with liberty to approach the competent authority by filing an
appropriate application for consideration of her claim for grant of
lease/patta under the provisions of the Chhattisgarh Nagariya
Kshetron Ke Awasheen Vyakti Ko Pattadhariti Adhikar Niyam,

2023. It is submitted that the petitioner belongs to the Scheduled Tribe category, is a landless person, and has been in possession of the subject Nazul land for more than 25 years. Learned counsel further submits that although the petitioner's residential house has already been demolished pursuant to the notice dated 13.03.2026, the petitioner continues to remain in possession of the land by residing in a temporary shelter (tent) and her application seeking grant of lease is still pending consideration before the competent authority. It is, therefore, prayed that the competent authority be directed to consider and decide the petitioner's application within a stipulated period and, till such consideration, the respondents be restrained from disturbing the petitioner's existing possession over the land.

2. Opposing the aforesaid submission, learned State counsel submits that proceedings under Section 248 of the Chhattisgarh Land Revenue Code had already been initiated and concluded against the petitioner as far back as in the year 2020, and the said order has never been challenged by the petitioner before any competent forum. It is further contended that the petitioner is now seeking to derive benefit from an application dated 25.10.2019 by taking recourse to the provisions of the Chhattisgarh Nagariya Kshetron Ke Awasheen Vyakti Ko Pattadhariti Adhikar Niyam, 2023, which came into force only in the year 2023. According to the learned State counsel, the benefit of the said Rules cannot be extended retrospectively, particularly when proceedings under

Section 248 had already culminated prior to the enforcement of the said Rules. It is also submitted that, in furtherance of notice dated 13.03.2026, the superstructure allegedly raised by the petitioner has already been demolished. In such circumstances, the petitioner cannot now seek protection against dispossession from the property in question, and therefore no indulgence is warranted by this Court.

3. I have heard learned counsel for the parties and perused the material available on record.
4. Considering the aforesaid facts and circumstances of the case, particularly the fact that although the order under Section 248 was passed in the year 2020, no consequential notice or action appears to have been taken thereafter for a considerable period of time, and further considering that the petitioner had deposited the fine amount and continued in possession of the disputed property, this Court deems it appropriate to grant liberty to the petitioner to avail the alternative statutory remedy available under law.
5. Accordingly, the petitioner is directed to approach the competent authority/forum having jurisdiction over the matter and file an appropriate application within a period of 15 days from today. In the event such application is filed within the stipulated period, the concerned authority shall consider and decide the same expeditiously, preferably within a further period of 45 days, strictly in accordance with law. Till the decision on the application to be

filed by the petitioner, no coercive steps shall be taken against the petitioner.

6. With the aforesaid observations and liberty, the writ petition stands dismissed as withdrawn.

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Yogesh