

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2025 of 2015**

Satyanarayan Mishra S/o Late B. N. Mishra, Aged About 62 Years R/o
Near Sub Station, Shiva Nagar, Tahsil And Distt. Korba (Chhattisgarh)

---- **Petitioner****Versus**

The State Of Chhattisgarh Through Secretary, Revenue And Disaster
Department, Mantralaya, Naya Raipur, Distt. Raipur (Chhattisgarh)

---- **Respondent**

Petitioner:	Shri Parag Kotecha, Advocate.
Respondent/State:	Shri Vinod Deshmukh, Deputy Government Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per Navin Sinha, Chief Justice****26/11/2015**

Heard Learned Counsel for the Petitioner and the State.

2. We are of the considered opinion that the Writ application purporting to challenge the provisions of Section 165 (7-b) of the Chhattisgarh Land Revenue Code (Amendment) Act, 1992 is premature. It provides that after the expiry of 10 years, an application for permission to sell/transfer the leased lands may be applied for and which could be refused only for reasons recorded in writing. Sufficient safeguards is incorporated in cases of rejection.

3. We are therefore not inclined to entertain the challenge at this stage. The Petitioner has not applied for permission yet. If the grievances persist, apart from any challenge on merits to the grounds for rejection of permission, it will always be open for the Petitioner to simultaneously assail the validity of

the law also.

4. The Writ Petition is disposed with the aforesaid observations.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE

Priya