CGHC010112812022 2026:CGHC:44667

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1640 of 2022

1 - M/s Guru Shree Minerals Private Limited (A Registered Private Limited Company Registered Under The Relevant Provision Of Company Act) Registered Address Shop No. 39- 42, Krishna Complex , Dhimrapur Road Raigarh Chhattisgarh, Through Its Authorized Representative Nirmal Agrawal, S/o Suresh Chand Agrawal, Aged Around 37 Years R/o Flat No. 604, 6th Floor, Block C Gurushree Tower, Rambhata, Raigarh , Tahsil And District Raigarh Chhattisgarh.

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through The Secretary, Ministry Of Revenue And Disaster Management , Mahanadi Bhawan, Mantralaya , Naya Raipur , District Raipur Chhattisgarh.

2 - The Collector Janjgir Champa, District Janjgir Champa Chhattisgarh.

3 - The S.D.O. Sakti / Jaijaipur District Janjgir Champa Chhattisgarh.

4 - The Tahsildar Jaijaipur District Janjgir Champa Chhattisgarh.

5 - Ratan Singh S/o Ganesh Ram Aged About 35 Years R/o Umreli, Tahsil Korba District Korba Chhattisgarh.

6 - Rajeshwari W/o Ratan Singh Aged About 37 Years R/o Umreli, Tahsil Korba District Korba Chhattisgarh.

7 - Chhatrapal Singh S/o Ratan Singh Aged About 18 Years R/o Umreli, Tahsil Korba District Korba Chhattisgarh.

8 - Jyoti Kumari D/o Ratan Singh Aged About 13 Years Through Mother

And Natural Guardian Rajeshwari W/o Ratan Singh , R/o Umreli, Tahsil Korba District Korba Chhattisgarh.

9 - Priti Kumari D/o Ratan Singh Aged About 10 Years Through Mother And Natural Guardian Rajeshwari W/o Ratan Singh , R/o Umreli, Tahsil Korba District Korba Chhattisgarh.

--- **Respondent(s)**

WPC No. 1718 of 2022

1 - M/s Guru Shree Minerals Private Limited (A Registered Private Limited Company Registered Under The Relevant Provision Of Company Act) Registered Address- Shop No. 39-42, Krishna Complex, Dhimrapur Road, Raigarh, Chhattisgarh, Through Its Authorized Representative Nirmal Agrawal, Aged Around 37 Years, R/o Flat No. 604, 6th Floor, Block C, Gurushree Tower, Rambhata, Raigarh, Tahsil And District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through The Secretary, Ministry Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh, District : Raipur, Chhattisgarh

2 - The Collector, Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

3 - The S.D.O., Sakti/jaijaipur, District- Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

4 - The Tahsildar, Jaijaipur, District- Jangjr-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

5 - Ratan Singh S/o Ganesh Ram Aged About 40 Years R/o Umkreli, Tahsil- Korba, District- Korba, Chhattisgarh, District : Korba, Chhattisgarh

6 - Rajeshwari W/o Ratan Singh Aged About 37 Years R/o Umreli, Tahsil- Korba, District- Korba, Chhattisgarh, District : Korba, Chhattisgarh

7 - Chhatrapal Singh S/o Ratan Singh Aged About 18 Years R/o Umreli, Tahsil- Korba, District- Korba, Chhattisgarh, District : Korba, Chhattisgarh

8 - Jyoti Kumari D/o Ratan Singh Aged About 13 Years Through Mother And Natural Guardian-Rajeshwari W/o Ratan Singh, R/o Umreli, Tahsil-Korba, District- Korba, Chhattisgarh, District : Korba, Chhattisgarh

9 - Priti Kumari D/o Ratan Singh Aged About 10 Years Through Mother And Natural Guardian-Rajeshwari W/o Ratan Singh, R/o Umreli, Tahsil-Korba, District- Korba, Chhattisgarh, District : Korba, Chhattisgarh

--- **Respondent(s)**

WPC No. 1711 of 2022

1 - M/s Guru Shree Mineral Private Limited (A Registered Private Limited Company Registered Under The Relevant Provision Of Company Act) Registered Address Shop No. 39-42, Krishna Complex, Dhimrapur Road, Raigarh (C.G.) Through Its Authorized Representative Nirmal Agrawal, S/o Suresh Chand Agrawal, Aged Around 37 Years, R/o Flat No. 604, 6th Floor, Block C, Gurushree Tower, Rambhata, Raigarh, Tahsil And District Raigarh (C.G.)

---**Petitioner(s)**

Versus

1 - State Of Chhattisgarh Through The Secretary, Ministry Of Revenue And Disaster Management, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (C.G.)

2 - The Collector, Janjgir-Champa, District Janjgir-Champa (C.G.)

3 - The S.D.O., Sakti/ Jaijaipur, District Janjgir-Champa (C.G.)

4 - The Tahsildar, Jaijaipur, District Janjgir-Champa (C.G.)

5 - Pawan Kumar Bhena, S/o Ram Khilawan Bhena, Aged About 38 Years R/o Village - Nawagaon, Tahsil - Champa, District Janjgir-Champa (C.G.)

6 - Government Of India, Ministry Of Finance, Income Tax Department, Through The Commissioner Of Income Tax, Raipur-1, New C.R. Building, Civil Lines, Raipur Chhattisgarh.

--- **Respondent(s)**

For Petitioner(s)	**:**	Shri B.P. Sharma alongwith Shri Pushp Kumar Gupta and Ms. Pragati Jaiswal on behalf of Shri Hari Agrawal, Advocate
For Respondent(s)	**:**	Shri Akhilesh Kumar, G.A.

Hon’ble Shri Justice Amitendra Kishore Prasad

Order on Board

08/10/2026

1. The petitioners have filed the present petitions praying for the following reliefs:

> *10.1 A writ and/or an order in the nature of appropriate writ do issue calling the entire records of the case*
>
> *10.2 A writ and/or order to quash or set-aside the order dated 11.03.2022 (Annexure P/1).*
>
> *10.3 A writ and/or order to quash and set-aside show cause notice dated 25.03.2022 (Annexure P/8) and subsequent proceedings thereto.*
>
> *10.4 Any other relief which this Hon’ble Court may deem fit.*
>
> *10.5 Cost of the petition.*

2. Learned counsels for the petitioners submits that the petitioner was granted the permission for purchase of land by the Collector vide order dated 13.12.2021 (Annexure P/4). Subsequent to which, the sale deed was executed on 09.02.2022, as per the terms and conditions placed in the order Annexure P/4. In the subsequent development, the Collector has passed the order of cancellation of sale deed on 11.03.2022 (Annexure P/1). It is submitted that the sale deed once executed cannot be canceled by the said authority as the cancellation of sale deed is only within the jurisdiction of the Civil Court therefore the impugned order is bad in law. He further submits that the petitioners have not been heard before passing the order dated 11.03.2022 and prays to set aside the order.
3. Learned State counsel opposes the submissions advanced by learned counsel for the petitioners.

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

5. Upon consideration of the submissions advanced by learned counsel for the parties, it appears that the impugned order dated 11.03.2022 has been passed by the Collector without affording the petitioners an opportunity of hearing. In the interest of justice, it would be appropriate to remand the matter to the concerned Collector for fresh consideration after providing due opportunity of hearing to the petitioners.

6. Accordingly, the impugned order dated 11.03.2022 (Annexure P/1) is hereby set aside. The matter is remitted to the concerned Collector for fresh consideration. The Collector shall afford due opportunity of hearing to the petitioners and other concerned parties and thereafter pass a reasoned and speaking order in accordance with law.

7. The parties are directed to appear before the concerned Collector on **09.12.2026**. The Collector shall proceed with the matter in accordance with law and ensure that an appropriate decision is taken after considering the submissions of the parties and the material available on record.

8. It is made clear that this Court has not expressed any opinion on the merits of the dispute, and the concerned Collector shall decide the matter independently, in accordance with law.

9. Accordingly, the petitions are disposed of. No order as to costs.

SD/-

(Amitendra Kishore Prasad)

JUDGE

Madhurima