CGHC010150372021 2026:CGHC:43426

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RAGHVENDRA JAT Digitally signed by RAGHVENDRA JAT

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2597 of 2021

1 - Sachin Sao S/o Shri Ashok Sahu Aged About 36 Years R/o Ward No. 7, Near Kanha Traders, Kalika Nagar Tifra, Bilaspur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralaya, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh

2 - Collector Bemetara, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

3 - Sub Divisional Magistrate (Revenue) Nawagarh, Tahsil Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

4 - Tahsildar Nawagarh, Tahsil Nawagarh District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

5 - Patwari P.H. No. 39, Village Khaira, Tahsil Nawagarh District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

6 - Seva Sahkari Samiti Maryadit Nandghat, Registation No. 1216,

Uparjan Kendra, Nandghat, Through Its Society Manager / Branch Manager, Nandghat, Tahsil Nawagarh, District Bemetara Chhattisgarh., District : Bemetara, Chhattisgarh

7 - Treasure Charitable And Dowment Fund M.P. (Now Chhattisgarh) Through The Secretary, (State Of Chhattisgarh) Revenue Department Mahanadi Bhawan, Mantralaya, Naya Raipur Chhattisgarh., District : Raipur, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Mr. Sourabh Sharma, Advocate along with Ms. Harneet Kaur, Advocate.
For Respondent(s)/State	:	Mr. Shobhit Mishra, Dy. G.A.
For Respondent No. 6	:	Mr. Thalesh Singh, Advocate on behalf of Mr. Manish Upadhyay, Advocate.

Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

07/10/2026

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 issue writ/writs, order/orders, direction/directions quashing the entire Revenue Case No. 13/B-121 Year 2020-21 and against the impugned order dated 27/05/2021 and also memo dated 27/05/2021 (Annexure P/1) with all benefits holding that same is without jurisdiction and authority of law.

10.2 That, this Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions to restore the mutation over the land in the name of petitioner by set-aside the mutation done in favor of Respondent no.7.

10.3 That, this Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions to Respondent 76.6/Society to grant all Government Subsidies to the Petitioner.

10.4 Any other relief as this Hon'ble Court may deems fit looking to the facts and circumstances of the case may also be awarded."

2. Learned counsel for the petitioner submits that the petitioner has purchased land admeasuring 1.84 hectares, bearing Khasra Nos. 316/1, 316/4, 316/5, 316/8 and 316/9, situated at Village Khaira, Tahsil Nawagarh, District Bemetara (C.G.), through registered sale deeds executed on 09.07.2012, 19.07.2012 and 08.04.2013. Since the date of purchase, the petitioner has been in peaceful possession of the land and his name was duly mutated in the revenue records. It is contended that the Sub-Divisional Officer (Revenue), without any application or appeal by an interested party and without having jurisdiction under Chapter IX of the Chhattisgarh Land Revenue Code, 1959, initiated suo motu proceedings and cancelled the mutation entries relating to 26 or more Khasra numbers, covering a total area of 53.48 hectares,

including the petitioner's land. Learned counsel further submits that the petitioner's title is based on registered sale deeds, which have not been cancelled by any competent civil court, and that the SDO could not have cancelled the mutation entries on the ground that the revenue records were suspicious or that the records for the year 1996–97 were unavailable. It is also contended that the petitioner was unable to attend the proceedings on account of COVID-19-related complications, for which he was hospitalised from 21.10.2020 to 26.10.2020 and was subsequently advised to undergo a follow-up examination on 11.11.2020. Despite the petitioner's medical condition and his representation through his father, the authority recorded his absence and proceeded without ensuring that he was informed of the subsequent dates of hearing. The impugned order dated 27.05.2021 was thereafter passed during the COVID-19 lockdown, resulting in the deletion of the petitioner's name from the revenue records and the mutation of the name of respondent No. 7, Treasure Charitable and Endowment Fund, over the disputed land. Learned counsel further submits that the impugned action has deprived the petitioner of his only source of livelihood, namely, agriculture, as he has also been deprived of the benefits of subsidised fertilisers, agricultural loans and the facility of selling paddy through the concerned society. It is, therefore, contended that the entire proceedings initiated by the SDO are without jurisdiction, contrary to the provisions of the Chhattisgarh Land Revenue Code, 1959, and

violative of the petitioner's rights under Article 300A of the Constitution of India, as no person can be deprived of his property except by authority of law. Accordingly, learned counsel prays for quashing the impugned order and the consequential proceedings.

3. Learned counsel for the State submits that the impugned order and memo dated 27.05.2021 have already been set aside by the Commissioner, Durg, vide order dated 08.12.2022, and the matter was remanded to the concerned authority for fresh consideration after providing an opportunity of hearing to the parties. In compliance with the said order, the Sub-Divisional Officer (Revenue), Nawagarh, after hearing the concerned parties, passed an order dated 13.07.2026, holding the mutation to be valid and directing correction of the revenue records in accordance with the registered sale deed. He, therefore, submits that the relief sought by the petitioner has already been granted and nothing further survives for adjudication in the present petition, which has accordingly become infructuous.

4. Having heard learned counsel for the State and considering the submissions made, it appears that the impugned order and memo dated 27.05.2021 have already been set aside by the Commissioner, Durg, vide order dated 08.12.2022, and the matter has been remanded for fresh consideration. It further appears that, in compliance with the said order, the Sub-Divisional Officer (Revenue), Nawagarh, has passed a fresh order dated 13.07.2026 after providing an opportunity of hearing to the

concerned parties.

5. In view of the subsequent developments and the submissions made by learned counsel for the State, nothing further survives for adjudication in the present petition.

6. Accordingly, the writ petition is dismissed as having become **infructuous.**

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat