CGHC010391402026 2026:CGHC:46066

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5095 of 2026

1 - M/s Subhan Stone Crusher, Kondagaon Through Its Partner Mohammed Yasin, S/o Mohammed Iqbal, Aged About 51 Years R/o House No. 27, Mohammed Nagar, Rozgaripara, District Kondagaon, Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Mineral Resources, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh

2 - The Collector District Bastar, Jagdalpur, Chhattisgarh

3 - The Mining Officer District Bastar, Jagdalpur, Chhattisgarh

... Respondents

For Petitioner	**:**	Mr. Syed Mohammad Sohail Afzal, Advocate
For State	**:**	Mr. Avinash Chand Sahu, Deputy AG

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

30/10/2026

1. The petitioner, in this Writ Petition, has prayed for the following reliefs:-

> *“10.1 Issue an appropriate writ, order or direction, directing the respondents to consider and decide the petitioners' application dated 24.09.2025 seeking permission for temporary storage, crushing and transportation of low-grade limestone over land*

bearing Khasra No. 424/2, admeasuring 0.810 hectares, situated at Village Tiknapal, Tehsil Bastar, District Bastar, Chhattisgarh, along with the petitioners' reply dated 08.10.2025 and the documents annexed thereto, by passing a reasoned and speaking order within a stipulated period as may be fixed by this Hon'ble Court.

10.2 Direct the respondents to consider and decide the aforesaid application in accordance with law, particularly keeping in view the communication dated 17.08.2016 issued by the Revenue and Disaster Management Department, Government of Chhattisgarh (Annexure P-4), the relevant provisions of the Chhattisgarh Land Revenue Code, 1959, and the petitioners' contentions regarding the registered lease deed, while passing a reasoned order.

10.3 Grant any other relief or reliefs which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice."

2. Learned counsel for the petitioner submits that the petitioner had submitted an application on 15.09.2025 seeking permission for excavation of low-grade limestone, which is pending consideration before the Collector, Bastar (C.G.). He further submits that during the course of consideration of the said application, certain additional documents were sought from the petitioner, in response to which the petitioner has also submitted his reply along with the requisite documents. However, the application has not been decided till date. Hence, the petitioner has approached this Court seeking a direction to the

respondents to consider and decide the pending application in accordance with law, after affording an opportunity of hearing to the petitioner.

3. Learned State counsel submits that the petitioner's application dated 15.09.2025 is under consideration and that upon perusal of the documents, it appears that certain additional documents were sought from the petitioner, which have since been furnished. He further submits that the competent authority shall consider and decide the application in accordance with law within a short span of time.

4. Having considered the submissions made by learned counsel for the parties and having regard to the fact that the petitioner's application has been pending consideration since 15.09.2025, this Court is of the view that a direction is required to be issued to the Collector accordingly, the concerned Collector is directed to consider and decide the application in accordance with law within a period of 30 days from the date of receipt of a copy of this order.

5. It is made clear that this Court has not expressed any opinion on the merits of the case and the concerned Collector shall be at liberty to pass an appropriate order in accordance with law.

6. With the aforesaid observations and directions, the present petition stands disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Priyanka