CGHC010399022026 2026:CGHC:44174

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5235 of 2026

1 - Neeru Yadav W/o Satyanarayan Yadav Aged About 43 Years

2 - Satyanarayan Yadav S/o Fazihat Yadav Aged About 44 Years

Both Ahir By Cast R/o Village Sargadi, Post Parhi, Distt. Balrampur Ramanujganj, Chhattisgarh.

... Petitioner(s)

versus

1 - State of Chhattisgarh Through The Secretary, Department Of Forest And Climate Change, Mahanadi Bhawan, Mantralaya, Nava Raipur, Chhattisgarh.

2 - Union Of India Through The Secretary, Ministry Of Tribal Affairs, Shastri Bhawan, Dr. Rajendra Prasad Road, New Delhi-110011.

3 - The Collector Distt. Balrampur Ramanujganj, Chhattisgarh.

4 - The Commissioner Surguja Division Ambikapur, Distt. Surguja, Chhattisgarh.

5 - The Divisional Forest Officer Forest Division, Distt. Balrampur Ramanujganj, Chhattisgarh.

6 - Range Assistant Pasta Forest Range, Distt. Balrampur Ramanujganj, Chhattisgarh.

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Shakti Raj Sinha, Advocate
For Respondent/State	:	Mr. Abhyuday Tripathi, P.L., appears on advance copy
For Respondent No.2/UOI	:	Mr. T.S. Sahu, CGC, appears on advance copy

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

13/10/2026

1. By way of this petition, the petitioners have prayed for following reliefs:-

> "(i) That, this Hon'ble Court may kindly be pleased to quash the impugned notice dated 20.09.2026 (Annexure P/1) issued by Respondent No. 06.
>
> (ii) That, this Hon'ble Court may kindly be pleased to protect the long standing peaceful possession of the petitioner on the forest land bearing Compartment No. P.F. 476B, admeasuring 2.00 hectares of which the forest right has been granted in favour of the petitioner by the competent authority under The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006.
>
> (iii) That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to act in accordance with the law considering the forest rights granted to the petitioner.
>
> (iv) Pass any other order(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. Learned counsel appearing for the petitioners submits that the petitioner No.1 was granted forest patta vide Revenue Case No.10/82(5) A-19/2007-08 in respect of Compartment No. P.F. 476B, admeasuring 2.00 hectares. It is submitted that on the strength of the said forest patta, the petitioner is in possession of the land in question and has also constructed a residential house thereon after obtaining a

loan. Learned counsel further submits that, despite the grant of forest patta, the authorities have repeatedly issued notices to the petitioner alleging encroachment and proposing initiation of forest proceedings. In this regard, notices dated 13.07.2025, 28.08.2025 and 01.10.2026 have been issued. It is further submitted that, on earlier occasions, the petitioner had apprised the concerned authorities of the grant of forest patta in his favour and had produced the relevant documents; however, the same have not been duly considered and, upon change of the concerned forest officers, notices are being issued repeatedly to the petitioner.

3. Learned State counsel, on the other hand, submits that the notices have merely been issued to the petitioner calling upon him to produce the relevant documents and, at this stage, there is no immediate threat of dispossession. It is further submitted that the petitioner may appear before the concerned authority and produce all relevant documents in support of his claim, which shall be duly considered by the authority in accordance with law.

4. Having heard learned counsel for the parties and having perused the record, this Court finds that the petitioner claims to have been granted forest patta in respect of Compartment No. P.F. 476B, admeasuring 2.00 hectares, and is stated to be in possession of the land on the strength of the said patta. The photographs placed on record also indicate the existence of a residential house over the land in question. In view of the aforesaid circumstances, the petitioner is directed to appear before the concerned authority within a period of 15 days from

today and submit all relevant documents in support of his claim, including the forest patta.

5. Upon receipt of the said documents, the concerned authority shall verify the genuineness and validity of the forest patta and consider the claim of the petitioner in accordance with law, after affording due opportunity of hearing to the petitioner, and shall pass a reasoned and speaking order within a period of 90 days from the date of submission of the documents by the petitioner.

6. It is further directed that, till the aforesaid exercise is completed, no coercive action shall be taken against the petitioner in respect of the land in question. The concerned authorities shall thereafter act strictly in accordance with the order so passed and in accordance with law.

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

Sd/-

(Amitendra Kishore Prasad)

Judge

Ruchi