CGHC010430632026 2026:CGHC:46504

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5493 of 2026

1 - Smt. Sarla Rai W/o Ravindranath Rai Aged About 69 Years Caste Ksdhatriya R/o House No. 148, Ravinpara, Village Digma, Police Station Gandhinagar Ambikapur, Tahsil Ambikapur, District Surguja C. G.

... Petitioner

Versus

1 - State of Chhattisgarh Through The Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt Raipur C. G.

2 - The Commissioner Surguja Division, Ambikapur, Distt Surguja C. G.

3 - The Collector Ambikapur, Distt Surguja C. G.

RAVVA UTTEJ KUMAR RAJU Digitally signed by RAVVA UTTEJ KUMAR RAJU Date: 2026.05.11 18:03:42 +0530

4 - Sub Divisional Officer (Revenue) Ambikapur, Distt Surguja C. G.

5 - Tahsildar/naib Tahsildar Ambikapur 02 Distt Surguja C. G.

6 - Deputy Registrar Ambikapur, Distt Surguja C. G.

7 - Smt. Gauri Devi W/o Shri Rajendra Prasad Sahu Aged About 60 Years Caste Teli, R/o Village Manipur Tahsil Ambikapur, Distt Surguja C. G.

... Respondents

(Cause title is downloaded from CIS Periphery.)

For Petitioner	:	Mr. Sanjeev Verma, Advocate.
For State	:	Mr. Anil S. Pandey, G.A.

Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

03.11.2026

1. The petitioner, being the recorded Bhumiswami of the rehabilitation land bearing Khasra No. 110/8, admeasuring 0.300 hectare, situated at Village Nehrunagar, Tahsil Ambikapur, District Surguja (C.G.), entered into an agreement to sell the said land in favour of respondent No. 7 for a sale consideration of Rs. 6,00,000/-, owing to bona fide family necessities, namely, the marriage of her grandson and construction of a residential house. Accordingly, on 15.03.2024, the petitioner submitted an application before respondent No. 3/Collector, Ambikapur, District Surguja (C.G.), seeking statutory permission for the proposed sale under the provisions of the Chhattisgarh Land Revenue Code, 1959. It is further stated that the requisite enquiry has substantially been completed, including publication of public proclamation (Ishtahar), preparation of spot panchnama, recording of statements of the parties and submission of the Patwari's enquiry report dated 28.06.2024. However, despite completion of the aforesaid proceedings, the petitioner's application has remained pending without any final decision. Hence, the petitioner has approached this Court seeking a direction to respondent No. 3 to consider and decide the pending

application within a stipulated period. Hence, the petitioner has filed the present petition seeking the following reliefs:

> *“10.1 That, this Hon'ble Court may kindly be pleased to issue writ/order/direction directing Respondent No. 3 (The Collector, Arnbikapur, District Surguja) to consider and take a final decision on the Petitioners' pending application for grant of permission to sell rehabilitation land (Revenue Case No. 202404021700051/A-21/2023-24) in accordance with law, expeditiously within a fixed period, preferably within 15 days;*
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> *10.2 Grant any other relief or direction that this Hon’ble Court may deem fit, just, and proper in the facts and circumstances of the case, together with the costs of the petition.”*

2. Learned counsel for the petitioner submits that the petitioner's application seeking permission to sell the subject rehabilitation land has remained pending consideration before respondent No. 3 for an unreasonably long period, without any final decision, despite completion of the requisite statutory formalities, including publication of public notice and spot verification. It is contended that such prolonged inaction on the part of respondent No. 3 is arbitrary and unreasonable and violative of Article 14 of the

Constitution of India. He further submits that the petitioner, being the lawful recorded Bhumiswami, cannot be deprived indefinitely of her right to deal with and alienate her property for genuine domestic necessities, particularly for the marriage of her grandson and construction of a residential house, as such restriction infringes her rights under Articles 21 and 300-A of the Constitution of India. It is further contended that respondent No. 3 is under a statutory obligation to consider and decide the application within a reasonable period. He also submits that the issue involved in the present petition is squarely covered by the order dated 06.04.2026 passed by this Court in *Shefali Sheel v. State of C.G.* (W.P.(C) No. 1503 of 2026), and, therefore, the petitioner is entitled to a similar direction for time-bound disposal of her pending application.

3. Learned State counsel does not oppose the limited prayer made on behalf of the petitioner and submits that the Collector, Ambikapur, District Surguja (C.G.), may be directed to consider and decide the petitioner's pending application, in accordance with law, within a period of 30 days.

4. Having heard learned counsel for the parties and upon perusal of the record, particularly considering the limited relief sought by the petitioner and the no-objection expressed by learned State counsel, this Court deems it appropriate to dispose of the present petition with a direction to the Collector, Ambikapur, District Surguja

(C.G.), to consider and decide the petitioner's pending application seeking permission to sell the subject land, in accordance with law, by passing a reasoned and speaking order, 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 claim of the petitioners and all issues are left open to be decided by the competent authority in accordance with law.

6. With the aforesaid observations and directions this writ petition stands **disposed of.**

Sd/-

(Amitendra Kishore Prasad)

Judge

U.K. Raju