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VISHAKHA BEOHAR
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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5563 of 2026

1 - Rajesh Kumar Ghosh S/o Sunil Ghosh Aged About 52 Years R/o Village Subhashnagar, Police Station Gandhinagar, Tahsil Ambikapur, Distt- Surguja (C.G.)

2 - Sushant Ghosh S/o Sunil Ghosh Aged About 50 Years R/o Village Subhashnagar, Police Station Gandhinagar, Tahsil Ambikapur, Distt- Surguja (C.G.)

3 - Mayarani Ghosh W/o Sunil Ghosh Aged About 70 Years R/o Village Subhashnagar, Police Station Gandhinagar, Tahsil Ambikapur, Distt- Surguja (C.G.) **... Petitioner(s)**

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.)

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 - Randhir Tiwari S/o Shri Narendra Tiwari Aged About 33 Years R/o Gandhinagar, Tahsil Ambikapur, Distt- Surguja (C.G.) **... Respondents**

(Cause-title taken from the Case Information System)

For Petitioner :- Mr. Gulab Singh, Advocate

For State :- Mr. Abhyuday Tripathi, P.L.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

04.11.2026

1. By way of the present petition, the petitioners, claiming to be the recorded joint Bhumiswamis of rehabilitation land situated at Village Subhashnagar, Tahsil Ambikapur, District Surguja (C.G.), bearing Khasra No. 123/3, forming part of the total holding admeasuring 0.9120 hectare, have sought a direction to respondent No. 3 (Collector, Surguja) to consider and decide their pending application dated 07.11.2022 seeking statutory permission for sale of 10 decimals of land out of the aforesaid Khasra number in favour of respondent No. 7.

2. The facts of the case, in brief, are that the petitioners entered into an agreement to sell the aforesaid land for a sale consideration of Rs.11,00,000/- on account of domestic necessity, with the intention of disposing of the barren land and acquiring cultivable agricultural land elsewhere for the livelihood of their family. Accordingly, they submitted an application dated 07.11.2022 before respondent No. 3 seeking permission for the proposed sale under the provisions of the Chhattisgarh Land Revenue Code, 1959. It is contended that although the matter was forwarded to the Tahsildar for inquiry and remained pending in the revenue proceedings for nearly two years, no final decision has been taken by respondent No. 3 on the said application. Hence, the

petitioners have approached this Court seeking appropriate directions. It is further submitted that this Court, in an identical matter, vide order dated 06.04.2026 passed in WPC No. 1503 of 2026 (Shefali Sheel & Anr. v. State of Chhattisgarh), has passed a similar order.

3. Learned counsel for the petitioners submits that the petitioners have filed an application dated 07.11.2022 under Section 165(6) of the Chhattisgarh Land Revenue Code, 1959, seeking permission for sale of the subject land, which is pending consideration before respondent No. 3 (Collector, Surguja). However, despite the lapse of considerable time, no final decision has been taken on the said application.

4. Learned State counsel submits that since the application filed by the petitioners under Section 165(6) of the Chhattisgarh Land Revenue Code, 1959, has been pending consideration before respondent No. 3 for a considerable period, the same shall be considered and decided within a period of 30 days.

5. Considering the fact that the application seeking permission to sell the subject land under Section 165(6) of the Chhattisgarh Land Revenue Code, 1959, was submitted by the petitioners as far back as on 07.11.2022 and is still pending consideration before the competent authority, namely, the Collector, Surguja, Ambikapur, this Court is of the view that the matter cannot be kept pending for an indefinite period. Accordingly, the Collector,

Surguja, Ambikapur, is directed to consider and decide the petitioners' application dated 07.11.2022, in accordance with law, within a period of 30 days from the date of receipt of a copy of this order.

6. It is expected that the concerned authorities shall take appropriate steps to ensure timely disposal of such applications, as the applicants cannot be compelled to approach this Court repeatedly merely for seeking a direction to decide their pending representations or applications. The Chief Secretary, State of Chhattisgarh, is also directed to look into the matter and issue appropriate instructions to the concerned authorities to ensure that applications of such nature are decided within a reasonable and stipulated period, so that unnecessary litigation before this Court may be avoided.

7. With the aforesaid directions, the writ petition stands **disposed of**.

sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha