CGHC010431132026 2026:CGHC:46503

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5492 of 2026

1 - Gautam Mandal S/o Tilak Mandal Aged About 38 Years Caste - Namoshudra, R/o Sai College Para, Digma, 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, District - Raipur (C.G.).

2 - The Commissioner Surguja Division, Ambikapur, District - Surguja (C.G.).

3 - The Collector Ambikapur, District - Surguja (C.G.)..

RAVVA UTTEJ KUMAR RAJU Digitally signed by RAVVA UTTEJ KUMAR RAJU Date: 2026.03.11 18:03:42 +0530

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

5 - Tahsildar / Naib Tahsildar Ambikapur-02, District - Surguja (C.G.).

6 - Deputy Registrar Ambikapur, District - Surguja (C.G.).

7 - Smt. Babita Goyal W/o Shri Naveen Goyal Aged About 49 Years R/o Ward No. 09, Laxmibai Marg, M.G. Road, Banaras Chowk, Jawahar Nagar, Tahsil - Ambikapur, District - 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 lawful recorded Bhumiswami of the rehabilitation land bearing Khasra No. 50/3, admeasuring 0.3000 hectare, situated at Village Nehrunagar, Tahsil Ambikapur, District Surguja (C.G.), entered into an agreement to sell 30 decimals (0.120 hectare) of the said land in favour of respondent No. 7, owing to pressing domestic and financial necessities. Accordingly, on 28.09.2021, 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 statutory enquiry, including spot inspection, issuance of public notice, valuation of the land and recording of statements, was duly conducted. The Naib Tahsildar and the Sub-Divisional Officer (Revenue), vide their respective reports dated 13.12.2021 and 22.01.2022, also made favourable recommendations. However, despite completion of the enquiry and submission of the aforesaid reports, 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. 202110021700095/A-21/2021-22) 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 land has remained pending consideration before respondent No. 3 since 2021, despite completion of the requisite statutory enquiry and submission of favourable reports by the concerned revenue authorities. It is contended that such prolonged and unexplained delay in deciding the application is arbitrary and unreasonable and violative of Articles 14, 21 and 300-A of the Constitution of India,

as the petitioner cannot be deprived indefinitely of the beneficial enjoyment and lawful alienation of his property. He further submits that respondent No. 3 is under a statutory obligation to consider and decide the application within a reasonable period, particularly when all requisite formalities, including spot inspection, preparation of panchnama, publication of notice and valuation of the land, have already been completed. It is also contended that the issue involved in the present petition is squarely covered by the judgment and 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 expeditious disposal of the 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