



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 312 of 2026

1 - Ram Bhagat Agrawal S/o Natthuram Agrawal Aged About 80 Years R/o Namnakala, Ambikapur Presently Resident At Kundla City P.S. And Tahsil Ambikapur, District- Surguja (C.G.)

2 - Vinod Agrawal S/o Late Kaliram Aged About 52 Years R/o Namnakala Ambikapur Presently Resident At Kundla City P.S. And Tahsil Ambikapur, District- Surguja (C.G.)

--- **Petitioners**

versus

1 - State Of Chhattisgarh The Secretary Department Of Revenue Mantralaya Mahanadi Bhawan, Naya Raipur, District- Raipur (C.G.)

2 - Collector Sarguja District- Sarguja (C.G.)

3 - Nazul Adhikari Ambikapur District- Sarguja (C.G.)

4 - Akhilesh Soni Member Pradesh Karya Samiti Bhartiya Janta Party R/o Sitla Ward Ambikapur, District- Sarguja (C.G.)

--- **Respondent(s)**

For Petitioner(s)	:	Mr. Sushobhit Singh, Adv.
For Respondent(s) No. 1 to 3	:	Mr. Sushobhit Singh, Adv.

Hon'ble Shri Justice Naresh Kumar Chandravanshi

Order On Board

16-3-2026

1. Heard on I.A. No. 2/2026, application for condonation of delay in payment of process fee by ordinary mode.
2. Learned counsel for the petitioners submits that, the petitioners have already paid the PF but there is some delay in it which may be condoned.
3. On due consideration, I.A. No. 2/2026 is allowed. Delay in payment of PF is condoned.
4. Also heard on admission and I.A. No. 1/2026, application for grant of interim relief.
5. Learned counsel for the petitioners submits that, the petitioners are owner and occupant of land bearing Khasra No. 235/3, 236/4, 237/3, 236/4, 235/2, 236/3 and 237/2 situated at Namnakala Ambikapur. He further submits that, the adjacent land bearing Khasra No. 243/1 is government Nazul land, which is the only way for the petitioners to go to their aforesaid land, but some portion of land i.e. 0.90 acre of aforesaid government land has been allotted to respondent No. 4 illegally, hence he prays that this writ petition may be admitted for hearing and interim protection may be granted to the petitioners.
6. Learned counsel appearing for the State would submit that, the application filed by the petitioners under Section 131 of the CG Land Revenue Code, 1959 has been rejected by the Nazul Officer on the

ground that, the petitioners have other way also to go to their land. He further submits that, said land was allotted to respondent No. 4 vide order dated 10-7-2025, but the petitioners have already transferred subject land to other persons, which has also been recorded in their name, therefore, the petitioners are not entitled to get the interim relief. At this stage, learned State counsel draws attention of the Court on revenue documents filed along with their reply i.e. R-1-3/1 (Colly) and submits that, as per revenue record, at the time of allotment of government bearing Khasra No. 243/1 to respondent No. 4, petitioners were not owner of the subject land and they do not hold Bhumi Swami right, therefore, the instant writ petition deserves to be dismissed at the threshold, on the ground of lack of locus standi.

7. In reply, learned counsel for the petitioners, referring to their rejoinder, would submit that, though some portion of subject land has been sold by petitioners to one Anup Soni and subsequently, some part of the land was mutually partitioned between legal heirs of Anup Soni i.e. Mr. Vikrant Soni, but the petitioners still hold title on about 60 decimal of said land, therefore, the petition is very well maintainable.

8. Heard learned counsel for the parties and perused the documents available on record.

9. Perusal of documents available on record shows that, the petitioners filed instant petition claiming themselves to be owner of the subject land, but the revenue documents filed by the respondents/State along with reply show that, they are not owner of subject land and they

do not hold any Bhumi Swami right, rather, as per revenue documents of 2023-2024, filed by the respondents/State, subject land has been recorded in the name of other persons, as has been mentioned by the State in its reply. Thus, since the petitioners do not hold ownership right on subject land, even at the time of allotment of said government land bearing Khasra No. 243/1, therefore, the petitioners have no locus to file instant writ petition, which has been filed on 19-1-2026. Hence, this petition is dismissed on aforesaid ground at the threshold. However, liberty is left with the petitioners that, if they have remained any title on any piece of subject land, then they may file a fresh petition.

10. In view of above, this writ petition is disposed of with aforesaid liberty.

11. I.A. No. 1/2026 for grant of interim relief and other pending interlocutory application(s), if any, stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge