



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 105 of 2026

Ankit Dubey S/o Dilip Dubey Aged About 28 Years R/o Ganeshpur
Post- Silphili, P.S. Jainagar Tehsil Latori, District- Surajpur (C.G.)

... **Petitioner(s)**

versus

1. State of Chhattisgarh Through- The Secretary Department of
Revenue and Disaster Management, Mahanadi Bhawan, New
Raipur District- Raipur (C.G.)
2. Commissioner Surguja Division Ambikapur District- Surguja
(C.G.)
3. Collector Surajpur District- Surajpur (C.G.)
4. SDO (R) Surajpur District- Surajpur (C.G.)
5. Tehsildar Latori District- Surajpur (C.G.)

... **Respondent(s)**

(Cause-title taken from Case Information System)

Order Sheet

23/02/2026	Heard Mr. Nishi Kant Sinha, learned counsel for the petitioner. Also heard Mr. Priyank Rathi, learned Government Advocate, appearing for the State/respondents. Learned counsel for the petitioner submits that one Shubham Agrawal made a complaint alleging that certain Government land (Gochar land) had been illegally sold and purchased by some persons. Upon the said complaint, cognizance was taken by respondent No. 3/Collector, who constituted a three-member committee to inquire into the matter. It is further submitted by the learned counsel for the petitioner that the said committee conducted an inquiry in accordance with departmental procedure and submitted its report dated 11.11.2025 before respondent No. 3. In the said report, it was observed that Khasra Nos. 1/14 and 1/27 (old Khasra Nos. 86 and 87) are Government land which were allegedly

wrongly transferred in the names of certain villagers during the year 1997–98. It was further noted that the said land was subsequently sold by the recorded Bhumiswamis/sellers, namely Laxmi Kumar and Banarasi, to the present petitioner, Ankit Dubey, vide two registered sale deeds dated 30.05.2024, allegedly in connivance with the then Halka Patwari. The report also mentions negligence on the part of the Tehsildar in signing the investigation report and effecting mutation.

Learned counsel for the petitioner contends that the petitioner purchased Khasra Nos. 1/14 and 1/27, each measuring 0.20 hectare, through duly registered sale deeds dated 30.05.2024 from the recorded Bhumiswamis, whose names were reflected in the revenue records and who were granted patta in the year 1997–98. It is further submitted that the names of their ancestors were recorded in the settlement of the year 1941. Before purchasing the land, the petitioner verified the revenue records, including the

investigation report issued by the Patwari and signed by the Tehsildar, and satisfied himself that there was no dispute regarding title. It is further submitted that even as per the committee report, in the settlement record, the name of Gendi Rajwar was recorded in respect of Khasra No. 86 admeasuring 1.82 acres, whereas Khasra No. 87 admeasuring 52.54 acres was recorded as Gochar land. However, during the year 2001–02, new Khasra No. 1 (old Khasra No. 86) was recorded as Gochar land, and some portions of Government land were allegedly wrongly allotted to certain villagers.

Learned counsel for the petitioner submits that by order dated 26.11.2025, the SDO (Revenue) merely sought guidance from the Collector regarding lodging of an FIR in light of the committee report, but the Collector did not pass any specific direction for registration of FIR in the said order. However, by amended order dated 07.01.2026, the Collector directed the SDO (Revenue) that an FIR may be

lodged against the sellers as well as the purchasers, while merely seeking an explanation from the Tehsildar. It is further contended that the petitioner preferred a revision before the Commissioner against the said order; however, the same was orally returned on the ground that the matter did not arise out of any revenue case. Thereafter, the petitioner filed WPC No. 376 of 2026 before this Court, but the Registry noted that the matter ought to have been classified as WPCR instead of WPC. Accordingly, the petitioner withdrew the said petition with liberty to file an appropriate petition vide order dated 05.02.2026.

Learned counsel for the petitioner submits that the petitioner is aggrieved only by that part of the order dated 07.01.2026 whereby the Collector has granted permission to lodge an FIR against the petitioner (purchaser) along with the sellers.

In view of the above submissions, respondent No. 3, namely the Collector-cum-District Magistrate,

is directed to file his personal affidavit in the matter.

Two weeks' time is granted to the learned State counsel to file reply-affidavit. Thereafter, two weeks' time is granted to the learned counsel for the petitioner to file rejoinder-affidavit.

List this matter thereafter.

Till then, the impugned order dated 07.01.2026 shall remain in abeyance to the extent of taking any coercive action or lodging an FIR against the petitioner. However, the authorities concerned shall be at liberty to proceed in accordance with law with respect to cancellation of allotment of the land in question, if it is found to be Government land.

A copy of this order be sent to respondent No. 3 through the learned State counsel for information and necessary action forthwith.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice