



2026:CGHC:19258

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1985 of 2026

- 1** - Chiman Lal Sahu S/o Shri Chhedu Lal Sahu Aged About 40 Years
R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 2** - Ashwani Sahu S/o Late Gaya Ram Sahu Aged About 50 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 3** - Shiv Kumar Sahu S/o Late Shri Budharu Sahu Aged About 51 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 4** - Tuke Ram Sahu S/o Late Shri Keju Ram Sahu Aged About 51 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 5** - Umendra Kumar Sahu S/o Late Shri Ganesh Ram Sahu Aged About 48 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 6** - Siva Ram Sahu S/o Late Shri Sukhram Ram Sahu Aged About 55 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 7** - Gend Lal Banjare S/o Dukalu Ram Banjare Aged About 60 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)
- 8** - Toran Sahu S/o Late Shri Keju Ram Sahu Aged About 50 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar

Distt. Gariyaband (C.G.)

9 - Roshan Banjare S/o Late Shri Punarad Banjare Aged About 45 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah.

Fingeshwar Distt. Gariyaband (C.G.)

10 - Milap Ram Banjare S/o Late Shri Punarad Banjare Aged About 45 Years R/o Village Darripar, Post Fingeshwar, Police Station And Tah. Fingeshwar Distt. Gariyaband (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue Secretariat Mahanadi Bhawan, New Raipur, Police Station Rakhi, Post Office Rakhi District- Raipur (C.G.)

2 - Collector, Distt. Gariyaband (C.G.)

3 - Sub Divisional Officer (Rev.) Fingeshwar, Distt. Gariyaband (C.G.)

4 - Tahsildar, Fingeshwar, Distt. Gariyaband (C.G.)

5 - Chief Municipal Officer Nagar Panchayat Fingeshwar, Distt. Gariyaband (C.G.)

... Respondents

(Cause-title taken from the Case Information System)

For Petitioner :- Mr. Pawan Kesharwani, Advocate

For State :- Mr. Anadi Sharma, P.L.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

27.04.2026

1. By way of the present writ petition filed under Article 226 of the Constitution of India, the petitioners have approached this Court seeking a direction to the respondent authorities, particularly the Collector, District Gariyaband, to consider and decide their pending representation regarding allotment of Government land

bearing Khasra No. 495/1, area 0.46 hectare, situated at Village Darripar, Tahsil Fingeshwar, District Gariyaband.

2. The case of the petitioners, in brief, is that they are residents of Village Darripar and are primarily engaged in agriculture and animal husbandry. It is their contention that there is no proper arrangement for grazing and shelter of cattle (Gauthan), resulting in inconvenience and potential hazards in the village. It is further submitted that certain proposals have been made for allotment of the said land in favour of particular communities for construction of cultural buildings. According to the petitioners, such allotment may lead to disputes and disharmony amongst different sections of the village. The petitioners claim to have submitted representations before the competent authorities, including the Collector, seeking cancellation of such proposed allotment and requesting that the land be reserved for a common Gauthan. However, the said representation is still pending consideration.

3. Following reliefs have been prayed by way of this petition:-

“10.1 That the Hon'ble Court may be pleased to issue appropriate writ/order/direction, Direction to the collector Gariyaband to consider and decide the representation made by the petitioners for allotment of Government Land khasra No. 495/1 an area of 0.46 hectares (Grass land) situated at village Darripar ward No. 2 for construction of Gothan.

10.2 That the Hon'ble Court may be pleased to issue appropriate writ/order/direction, direct the Tahsildar fingshwaramount allotted for construction of building may kindly be rejected.

10.3 Any other relief(s), direction(s), which Hon'ble the Court deems fit, and proper, in the circumstances of the case.”

4. Learned counsel for the petitioners submits that the grievance of the petitioners is limited in nature and at this stage they would be satisfied if a direction is issued to the concerned Collector to consider and decide their pending representation within a time-bound manner.
5. On the other hand, learned State counsel submits that the writ petition, as framed, is not maintainable in view of the nature of reliefs sought. However, it is fairly submitted that if the petitioners have preferred any representation before the competent authority, the same may be considered in accordance with law.
6. I have heard learned counsel for the parties and perused the material available on record.
7. On perusal of the record, this Court is of the considered view that the grievance of the petitioners pertains to non-consideration of their representation by the competent authority. Without expressing any opinion on the merits of the case, it would be appropriate to direct the competent authority to consider and

decide the pending representation of the petitioners in accordance with law.

8. Accordingly, the writ petition is **disposed of** with a direction to the Collector, District Gariyaband (Respondent No. 2), to consider and decide the representation submitted by the petitioners strictly in accordance with law. The aforesaid exercise shall be carried out as expeditiously as possible, preferably within a period of 90 days from the date of receipt of a certified copy of this order.
9. It is made clear that this Court has not expressed any opinion on the merits of the case and the authority shall decide the matter independently.
10. With the aforesaid observations and directions, the writ petition stands disposed of.
11. No order as to costs.

sd/-

(Amitendra Kishore Prasad)
Judge

Vishakha