



2026:CGHC:18794

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1436 of 2026**

- 1 - Suko S/o Ghagru Aged About 65 Years Caste Dhurwa, R/o Begnlur,
Tahsil Jagdalpur, District Bastar (Cg)**
- 2 - Lakhan S/o Sai Aged About 60 Years Caste Dhurwa, R/o Begnlur,
Tahsil Jagdalpur, District Bastar (Cg)**
- 3 - Raidhar S/o Kullu Aged About 62 Years Caste Dhurwa, R/o Begnlur,
Tahsil Jagdalpur, District Bastar (Cg)**
- 4 - Sonaru S/o Budru Aged About 51 Years Caste Dhurwa, R/o Begnlur,
Tahsil Jagdalpur, District Bastar (Cg)**
- 5 - Dhansingh S/o Domu Aged About 50 Years Caste Dhurwa, R/o
Begnlur, Tahsil Jagdalpur, District Bastar (Cg)**
- 6 - Sonaru S/o Gonchu Aged About 50 Years Caste Dhurwa, R/o
Begnlur, Tahsil Jagdalpur, District Bastar (Cg)**
- 7 - Laxman S/o Ghonchu Aged About 49 Years Caste Dhurwa, R/o
Begnlur, Tahsil Jagdalpur, District Bastar (Cg)**
- 8 - Sukalu S/o Khogu Aged About 60 Years Caste Dhurwa, R/o Begnlur,**

Tahsil Jagdalpur, District Bastar (Cg)

9 - Chingdu S/o Samu Aged About 50 Years Caste Dhurwa, R/o
Begnlor, Tahsil Jagdalpur, District Bastar (Cg)

10 - Ramdas S/o Samu Aged About 52 Years Caste Dhurwa, R/o
Begnlor, Tahsil Jagdalpur, District Bastar (Cg)

11 - Dinbandhu S/o Harchit Aged About 60 Years Caste Bhatra, R/o
Begnlor, Tahsil Jagdalpur, District Bastar (Cg)

12 - Raghunath S/o Bholu Aged About 45 Years Caste Bhatra, R/o
Begnlor, Tahsil Jagdalpur, District Bastar (Cg)

13 - Mangaldhan S/o Dasmu Aged About 60 Years Caste Bhatra, R/o
Village Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

14 - Lalit S/o Gopi Aged About 60 Years Caste Bhatra, R/o Village
Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

15 - Mosu S/o Budram Aged About 52 Years Caste Dhurwa, R/o Village
Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

16 - Lambhu S/o Bhuklu Aged About 61 Years Caste Dhurwa, R/o
Village Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

17 - Shankar S/o Bandhu Aged About 65 Years Caste Bhatra, R/o
Village Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

18 - Puran S/o Rameshwar Aged About 40 Years Caste Bhatra, R/o
Village Begnlor, Tahsil- Jagdalpur, District Bastar (Cg)

19 - Sonu S/o Vishwanath Aged About 60 Years Caste Bhatra, R/o

Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

20 - Sukdev S/o Mandhar Aged About 45 Years Caste Dhurwa, R/o
Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

21 - Budu S/o Gonchu Aged About 53 Years Caste Dhurva, R/o Village
Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

22 - Mangali W/o Shankar Aged About 55 Years R/o Village Begnlur,
Tahsil- Jagdalpur, District Bastar (Cg)

23 - Jagbandhu S/o Sukhram Aged About 49 Years R/o Village Begnlur,
Tahsil- Jagdalpur, District Bastar (Cg)

24 - Kaadi S/o Balram Aged About 60 Years R/o Village Begnlur, Tahsil-
Jagdalpur, District Bastar (Cg)

25 - Sada S/o Harchit Aged About 55 Years Caste Dhurwa, R/o Village
Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

26 - Lachhiram S/o Shakar Aged About 35 Years Caste Bhatra, R/o
Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

27 - Somaru S/o Hari Aged About 60 Years Caste Bhatra, R/o Village
Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

28 - Asti Wd/o Late Sonsai Aged About 65 Years Caste Bhatra, R/o
Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

29 - Harinath S/o Kullu Aged About 60 Years R/o Village Begnlur,
Tahsil- Jagdalpur, District Bastar (Cg)

30 - Lacchim S/o Chingdu Aged About 50 Years Caste Dhurwa, R/o

Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

31 - Ganesh S/o Paklu Aged About 25 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

32 - Lakhmu S/o Guru Aged About 61 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

33 - Sonu S/o Khuklu Aged About 65 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

34 - Rupkumar S/o Daya Aged About 50 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

35 - Bhagarati S/o Bandhu Aged About 60 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

36 - Chaitu S/o Mangru Aged About 55 Years Caste Dhurwa, R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

37 - Laxman Jhitru Aged About 57 Years R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

38 - Somdas S/o Ramdas Aged About 47 Years R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

39 - Trinath S/o Arjun Aged About 45 Years R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

40 - Haribandhu S/o Somdas Aged About 30 Years R/o Village Begnlur, Tahsil- Jagdalpur, District Bastar (Cg)

--- **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Ministry Of Forest Secretariat, Capital Complex, Mahanadi Bhawan, Nava Raipur, District-Raipur Chhattisgarh

2 - The Secretary Ministry Of Revenue, Secretariat, Capital Complex, Mahanadi Bhawan, Nava Raipur, District- Raipur Chhattisgarh

3 - The Collector District- Bastar (Cg)

4 - Divisional Forest Officer Jagdalpur, District Bastar, Chhattisgarh

5 - Gram Panchayat/ Panchayat Tiriya Through Secretary, Tahsil-Jagdalpur, District- Bastar (Cg)

6 - Sub Divisional Officer (Revenue) And Secretary Forest Right Committee, Jagdalpur, District- Bastar Chhattisgarh

... Respondents

(Cause-title taken from the Case Information System)

For Petitioners :- Mr. Sameer Oraon, Advocate

For State :- Mr. S.S. Baghel, G.A.

SB- Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

23.04.2026

1. By way of this petition, the petitioner has called in question the inaction on the part of the respondent authorities in not deciding the appeal preferred before the Sub-Divisional Officer (Revenue) / Appellate Authority under the Forest Rights Act,

2006, which has been pending since 27.02.2024. The petitioner seeks a direction for expeditious disposal of the said appeal.

2. The facts of the case, in brief, are that the petitioner, claiming to be a forest dweller belonging to a Scheduled Tribe community, had preferred an application under the provisions of the Forest Rights Act, 2006 for recognition of rights over the land in question. The said claim was rejected by the Gram Sabha on 27.02.2024. Being aggrieved, the petitioner preferred an appeal before the competent appellate authority/Sub-Divisional Level Committee on 27.02.2024. It is the case of the petitioner that despite repeated representations and visits to the office of the appellate authority, the appeal has not been taken up for consideration and remains pending till date without any justifiable reason.
3. Following reliefs have been prayed by way of this petition:-

“A writ and/or an order in the nature of writ of appropriate nature do issue commanding and directing the respondents concerned to produce before this Hon'ble Court all the relevant records pertaining to the case of the petitioners for its kind perusal.

B. A writ and/or an order/direction in the nature of writ to decide the appeal in time bound manner pending before respondent no. 6 in accordance with law considering the facts and circumstance of the case.

C. Any other relief which this Hon'ble Court may deem fit in the facts & circumstances of case.

D. Cost of the petition may also be awarded”

4. Learned counsel for the petitioner, at the outset, submits that the appeal preferred by the petitioner before the Sub-Divisional Officer (Revenue) has been pending for consideration since 27.02.2024. It is contended that the matter pertains to grant of forest rights (patta), and the statutory authority is under an obligation to decide the appeal within a reasonable time. However, the appeal has been kept pending without any progress, which amounts to violation of the petitioner's right to speedy justice under Article 21 of the Constitution of India. It is, therefore, prayed that a direction be issued to the concerned authority to decide the appeal expeditiously.
5. Learned State counsel submits that he has no objection if an appropriate direction is issued to the concerned authority for expeditious disposal of the appeal in accordance with law.
6. I have heard learned counsel for the parties and perused the material available on record.
7. It is not in dispute that the petitioner has preferred an appeal before the competent authority on 27.02.2024, which is still pending consideration.

8. The provisions of the Forest Rights Act, 2006 and the Rules framed thereunder cast a duty upon the competent authority to consider and decide such appeals within a reasonable period. Keeping the appeal pending for an inordinate period defeats the very purpose of the statute and amounts to denial of an effective remedy. An appeal filed under a statutory scheme cannot be kept pending indefinitely without any justification.
9. In view of the aforesaid facts and circumstances, the present petition is **disposed of** with a direction to the concerned Sub-Divisional Officer (Revenue)/Appellate Authority to consider and decide the appeal preferred by the petitioner, strictly in accordance with law, as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a copy of this order.
10. The petitioner shall be afforded due opportunity of hearing in accordance with law. It is made clear that this Court has not expressed any opinion on the merits of the case.
11. No order as to costs.

sd/-

(Amitendra Kishore Prasad)
Judge