



2026:CGHC:18525

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1819 of 2026

1 - Rajkumar S/o Kavalsaay, Aged About 32 Years R/o Village -
Jatasemar, Tehsil Baikunthpur, District -Korea (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Revenue Department,
Mahanadi Bhawan, Mantralay Atal Nagar District-Raipur (C.G.)

2 - The Collector Baikunthpur District -Korea (C.G.)

3 - The Sub Divisional Officer (Revenue) Tehsil Baikunthpur District -
Korea (C.G.)

4 - Revenue Inspector Baikunthpur District -Korea (C.G.)

... Respondent(s)

(Cause Title is taken from CIS System)

For Petitioners : Mr. Barun Kumar Mishra, Advocate

For State : Mr. Abhishek Gupta, Panel Lawyer

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

23/04/2026

1. The petitioner has filed this writ petition seeking following reliefs:



“10.1 The Hon'ble Court may kindly be pleased to issue writ/order/appropriate direction towards the respondent authorities to consider and decide the Application dated 02.07.2024 (Annexure P-1) within stipulated period.

10.2 The Hon'ble Court may kindly be pleased to issue writ/order/ appropriate direction towards the respondent authorities to not create hindrance or disturb the peaceful possession of the petitioners over the aforesaid agriculture land Village Jatasemar, Tehsil Baikunthpur, bearing Khasra No. 181, Area 0.130 Hectare (old Khasra No. 7/1).

10.3 That, the Hon'ble Court may kindly be pleased to grant any other relief, as if may deem fit and appropriate.”

2. Facts of the case, as projected in the petition, are that the petitioner has approached this Court stating that he had moved an application dated 02.07.2024 before the District Collector, Baikunthpur, District Korea (Chhattisgarh), seeking grant of lease (patta) in respect of land situated at Village Jatasemar, Tehsil Baikunthpur, bearing Khasra No. 181, admeasuring 0.130 hectare. It is the case of the petitioner that the said land, though recorded in the names of certain individuals in the revenue records, has in fact remained in continuous possession of the petitioner and his family for the last several decades. Pursuant to the said application, the matter was processed by the authorities and was marked to the Sub-Divisional Officer, who in turn directed



the Revenue Inspector to conduct an enquiry and submit a report. In compliance thereof, a detailed Janch Prativedan and Panchnama were prepared and submitted, wherein it was found that the petitioner is in possession of the land and has been utilizing the same. Thereafter, the Sub-Divisional Officer submitted his report to the District Collector on 06.10.2025. It is further borne out from the record that the District Collector, vide order dated 19.02.2026, cancelled the lease in favour of the previously recorded persons and directed that the land be vested in the State Government. However, despite the petitioner's specific prayer in the application dated 02.07.2024 seeking grant of lease/patta in his favour, no decision has been taken by the competent authority on the said aspect till date.

3. Learned counsel for the petitioner submits that the petitioner has moved an application before the competent authority as far back as on 02.07.2024 seeking grant of patta/lease in his favour, which is still pending consideration. It is contended that despite completion of the enquiry proceedings and submission of reports by the subordinate authorities, the competent authority has failed to take a final decision on the petitioner's claim. It is further submitted that the petitioner is a landless person and has been in settled possession of the land for decades, which fact stands corroborated from the enquiry report as well as the Panchnama on record. However, the authorities, while cancelling the lease of the previous recorded persons, have not adjudicated the



petitioner's rightful claim for grant of lease. Learned counsel, therefore, submits that the petitioner is confining his prayer in the present petition to a limited extent and seeks a direction to the concerned authority to consider and decide the application dated 02.07.2024 for grant of patta/lease in favour of the petitioner within a specified time frame, in accordance with law.

4. Learned State counsel, opposing the submissions advanced on behalf of the petitioner, submits that the petitioner has no vested right to claim grant of lease merely on the basis of alleged possession, and such claim is subject to fulfillment of statutory provisions and applicable Government policies.
5. I have heard learned counsel for the parties and perused the material available on record.
6. From the record, it is evident that the petitioner had submitted an application dated 02.07.2024 before the competent authority seeking grant of lease/patta in respect of the land in question. It further appears that pursuant to the said application, an enquiry was conducted by the Revenue Authorities and reports, including Janch Prativedan and Panchnama, were submitted through the Sub-Divisional Officer to the District Collector. It is also not in dispute that though the Collector has passed an order dated 19.02.2026 cancelling the lease of previously recorded persons and vesting the land in the State, the specific claim of the petitioner for grant of lease, as sought in the application dated 02.07.2024, has not yet been adjudicated.



7. Insofar as the submissions advanced on behalf of the State are concerned, it is true that the petitioner cannot claim lease as a matter of right and the same is subject to statutory provisions and applicable policy. However, at the same time, once an application has been duly submitted and the matter has been processed through enquiry, the competent authority is under an obligation to take a final decision on such application in accordance with law.
 8. In view of the aforesaid, without entering into the merits of the petitioner's entitlement, this Court deems it appropriate to dispose of the present petition with a direction to the concerned respondent authorities to consider and decide the petitioner's application dated 02.07.2024 expeditiously, strictly in accordance with law and applicable policy, after affording due opportunity of hearing to all concerned parties.
 9. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner, and the competent authority shall take an independent decision uninfluenced by any observation made herein.
 10. With the aforesaid direction, the writ petition stands disposed of.
- No order as to costs.

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Shayna