



2026:CGHC:21477



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2091 of 2026**

- 1** - Anant Kishore Agrawal S/o Late Shri Ramkhilawan Agrawal Aged About 63 Years R/o Shankar Ward, Near Shiv Mandir, Bhatapara, Tehsil Bhatapara, District Balodabazar-Bhatapara Chhattisgarh.
- 2** - Nand Kishore Agrawal S/o Late Shri Ramkhilawan Agrawal Aged About 73 Years R/o Shankar Ward, Near Shiv Mandir, Bhatapara, Tehsil Bhatapara, District Balodabazar-Bhatapara Chhattisgarh.
- 3** - Kamal Kishore Agrawal S/o Late Shri Ramkhilawan Agrawal Aged About 66 Years R/o Shankar Ward, Near Shiv Mandir, Bhatapara, Tehsil Bhatapara, District Balodabazar-Bhatapara Chhattisgarh.
- 4** - Shanti Bai Agrawal D/o Late Shri Ramkhilawan Agrawal Aged About 77 Years R/o Shankar Ward, Near Shiv Mandir, Bhatapara, Tehsil Bhatapara, District Balodabazar-Bhatapara Chhattisgarh.
- 5** - Shakuntala Agrawal D/o Late Shri Ramkhilawan Agrawal Aged About 75 Years R/o Shankar Ward, Near Shiv Mandir, Bhatapara, Tehsil Bhatapara, District Balodabazar-Bhatapara Chhattisgarh.



2026:CGHC:21477

6 - Purshottam Lal Agrawal (Since Died) S/o Late Shri Ramkhilawan Agrawal Aged About 77 Years Nil, Amirchand Agrawal, S/o Late Shri Ramkhilawan Agrawal, Aged About 84 Years, (Since Died).

6.1 - Kanti Agrawal Wd/o Late Purshottam Lal Agrawal Aged About 70 Years R/o Purnai Basti, Raipur, District Raipur Chhattisgarh.

6.2 - Jaiprakash Agrawal S/o Late Purshottam Lal Agrawal Aged About 45 Years R/o Purnai Basti, Raipur, District Raipur Chhattisgarh.

6.3 - Sweety Agrawal D/o Late Purshottam Lal Agrawal Aged About 35 Years R/o Akaltara, District Janjgir Champa Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Collector, District Balodabazar-Bhatapara Chhattisgarh.

... Respondent(s)

For Petitioner(s)	:	Ms. Shivangi Agrawal, Advocate.
For Respondent(s)/State	:	Ms. Anusha Nayak, Dy. G.A.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

07/05/2026

1. By way of this petition, the petitioners have prayed for following reliefs:-

"1] That, the Hon'ble Court may kindly be pleased to call for the records of Sub-Divisional officer, Bhatapara, District Balodabazar Bhatapara, (C.G.) so far as it relates to grant of Bhumiswami rights over the suit property in



Revenue Case No.202103211100030/A-20(3)/2020-21

titled of "Purshottam Lal Agrawal v/s. State Chhattisgarh.

2] That, the Hon'ble Court may kindly be pleased to issue a order/orders, writ/writs, direction/directions to Respondent to expeditiously issue the Certificate granting Bhumiswami rights in favour of the petitioners, within 01 month, in the interest of justice.

3) That, this Hon'ble Court may kindly be pleased to grant any other relief(s), which is deemed fit and proper in the aforesaid facts and circumstances of the case."

2. Brief facts of the case, is that, the petitioners have preferred the present writ petition seeking issuance of an appropriate direction to the respondent authorities to grant Bhumiswami rights and issue the requisite certificate in respect of Nazul land bearing Sheet No. 12B, Plot No. 142, admeasuring 246 sq.ft., which stands recorded jointly in the names of the petitioners in the revenue records, and further challenging the order dated 06.12.2024 passed by the Sub-Divisional Officer whereby the application of the petitioners for grant of Bhumiswami rights has been rejected; it is submitted that the petitioners had initially filed an application on 12.03.2021 before the Sub-Divisional Officer, Bhatapara, District Balodabazar-Bhatapara (C.G.) seeking grant of Bhumiswami rights over the aforesaid Nazul land, pursuant to which the petitioners were directed during the course of proceedings to deposit an amount of Rs.82,047/-, which was duly



deposited by them on 01.09.2021; thereafter, the Nazul Officer, Bhatapara submitted a report dated 25.09.2021 recommending grant of Bhumiswami rights in favour of the petitioners after proper scrutiny of the matter; subsequently, upon direction issued by the Joint Collector-cum-Authorised Officer, Nazul seeking a more detailed report, another report dated 15.03.2022 was submitted by the Nazul Officer again recommending grant of Bhumiswami rights in favour of the petitioners; thereafter, the Tehsildar (Nazul), Bhatapara also submitted his report dated 09.12.2022 supporting and recommending the case of the petitioners for grant of such rights; it is further submitted that the matter was thereafter placed before the five-member Committee on 18.04.2023 for approval, and the proposal for grant of Bhumiswami rights in favour of the petitioners was approved by the Collector, Balodabazar-Bhatapara on 19.04.2023; however, despite such recommendations and approval, the matter remained pending before the concerned authorities on various dates including 28.08.2024, 24.09.2024, and 22.10.2024, and ultimately, vide order dated 06.12.2024, the application of the petitioners came to be rejected solely on the basis of Letter No. F-4-14/7-1/Nawa Raipur dated 23.07.2024 issued by the Revenue and Disaster Management Department, Government of Chhattisgarh, directing that proceedings relating to grant of freehold rights over government lands situated within urban areas be dismissed; being aggrieved by the said rejection order, the petitioners have



approached this Hon'ble Court by filing the present writ petition.

3. Learned counsel appearing on behalf of the petitioners submits that earlier, vide Circular dated 11th September, 2019, the respondent authorities had granted liberty to persons in long-standing possession of Nazul lands to submit appropriate applications for grant of lease in respect of such Nazul plots; it is further submitted that pursuant to the said circular, the present petitioners submitted their applications seeking grant of lease in respect of the Nazul land over which they have been in continuous possession for a considerable period of time, and upon due consideration of their case, the competent authorities proceeded to pass an order directing the petitioners to deposit the requisite premium amount and lease rent in accordance with law, whereafter the premium and lease rent were duly assessed and fixed by the concerned Nazul Officer, copies whereof have been annexed as Annexure P/2 with the petition; learned counsel further submits that subsequently, vide order dated 25.09.2021, the Nazul Officer recorded a finding that the petitioners were entitled to grant of Bhumiswami rights in view of their long-standing possession over the land as well as in light of the Circular dated 11.09.2019, and pursuant thereto the petitioners deposited the entire premium amount along with the lease rent and other dues as demanded by the authorities; however, despite completion of all formalities and compliance with all directions issued by the authorities, the application filed by the petitioners for



grant of lease/Bhumiswami rights in respect of the Nazul land came to be rejected subsequently vide order dated 06.12.2024, and being aggrieved by the said order, the petitioners have approached this Hon'ble Court by filing the present writ petition.

4. Learned counsel appearing on behalf of the petitioners, after arguing the matter for some time, seeks permission of this Court to withdraw the present writ petition with liberty to file an appropriate application/representation before the concerned Nazul Officer; it is further prayed that the concerned Nazul Officer be directed to consider and decide such application strictly in accordance with law while also taking into consideration the fact that earlier orders had already been passed in favour of the petitioners recognizing their entitlement, pursuant to which the petitioners had deposited the entire premium amount along with lease rent and other requisite charges as directed by the competent authorities.
5. On the other hand, learned counsel appearing on behalf of the State opposes the submissions advanced on behalf of the petitioners and contends that the relief sought by the petitioners is not tenable in the facts and circumstances of the present case and, therefore, no interference by this Hon'ble Court is warranted.
6. I have heard learned counsel for the parties and perused the material available on record.
7. However, considering the fact that earlier orders had been passed in favour of the petitioners and pursuant thereto the petitioners



had already deposited the requisite premium amount, lease rent, and other charges as directed by the competent authorities, and thereafter the benefit granted to them came to be cancelled subsequently, this writ petition is **disposed of** with liberty to the petitioners to approach the concerned Nazul Officer by filing an appropriate application/representation within a period of 15 days from the date of receipt of a copy of this order; and upon such application being filed, the concerned Nazul Officer is directed to consider and decide the same strictly in accordance with law, after due consideration of all relevant facts and earlier proceedings, within a further period of 60 days thereafter.

Sd/-

(Amitendra Kishore Prasad)
Judge

Raghu Jat