



2026:CGHC:21215

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2472 of 2022**

1 - Smt. Urmila Tandiya W/o Late Manna Lal Aged About 62 Years D/o Late Shri Dayaram R/o Village Sarbahara, Tahsil - Pendraroad, Revenue District Gaurela-Pendra-Marwahi Chhattisgarh.

2 - Mr. Biharilal S/o Late Shri Dayaram Aged About 54 Years R/o Village Sarbahara, Tahsil Pendraroad, Revenue District Gaurela Pendra Marwahi Chhattisgarh.

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Collector (Revenue), District Gaurela-Pendra-Marwahi Chhattisgarh.

2 - The Competent Authority, Scheduled Tribes And Other Traditional Forest Dwellers (Recognition Of Forest Rights) Act, 2006 Cum, The Sub Divisional Officer (Revenue) Revenue District Gaurela-Pendra-Marwahi Chhattisgarh.

3 - Gram Sarpanch Sarbahara, Gram Panchayat Sarbahra Village Sarbahara, Tahsil-Pendraroad, Revenue District Gaurela-Pendra-Marwahi Chhattisgarh.



4 - Village Secretary, (Gram Sachiv), Sarbahara, Gram Panchayat Sarbahara, Village Sarbahara, Tahsil - Pendraroad, Revenue District Gaurela-Pendra-Marwahi Chhattisgarh.

5 - Chief Conservator Officer, Circle Bilaspur, District Bilaspur Chhattisgarh.

6 - Divisional Forest Officer, Forest Division Marwahi, Pendra-Road, Revenue District Gaurela-Pendra-Marwahi.

... Respondent(s)

(Cause Title is taken from CIS System)

For Petitioner : Mr. Siddharth Dubey, Advocate

For State : Mr. S. S. Choubey, Government Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

06/05/2026

1. The petitioners have preferred this writ petition seeking following relief(s):-

“10.1 That, this Hon'ble Court may kindly direct the appropriate respondent authorities to grant forest authority letter (Van Adhikar Patra)/Patta to the petitioners concerning the land bearing khasra no. 998. P.H. No. 20, to extent of 5 Acre land situated at Village Sarbahara, Tahsil Pendra-road, Revenue District Gaurela-Pendra-Marwahi (C.G.).



10.2 Any other order which this Hon'ble Court deems fit, in the interest of justice, equity and good conscience may also be passed in instant petition."

2. Facts of the case, as projected, are that the petitioners are residents of Gram Sarbahara, Tahsil Pendra Road, District Gaurela-Pendra-Marwahi (C.G.), and belong to the category of Scheduled Tribes, thereby being governed by the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The petitioners claim to be in possession of land bearing Khasra No. 998, P.H. No. 20, admeasuring about 5 acres, and are dependent upon the said land for their livelihood. It is the case of the petitioners that they had submitted an application dated 10.12.2014 before the competent authorities seeking grant of forest rights/patta (Van Adhikar Patra) in respect of the said land. Thereafter, a reminder representation dated 26.07.2021 was also submitted, which bears acknowledgment of the concerned authority. Apart from this, the petitioners have made several representations before different authorities, including the Gram Sabha and the Additional Collector, however, no decision has been taken on their application till date. Being aggrieved by such inaction, the petitioners have approached this Court.
3. Learned counsel for the petitioners submits that despite filing an application as far back as 10.12.2014 for grant of patta/lease



under the Forest Rights Act, the same has not been decided till date. It is further submitted that even a reminder dated 26.07.2021 was submitted, which is evident from the receipt of the concerned authority, yet no action has been taken. It is contended that such prolonged inaction on the part of the respondent authorities is arbitrary and has seriously prejudiced the rights and livelihood of the petitioners, who are dependent upon the said land. Learned counsel, therefore, prays that appropriate directions be issued to the authorities to decide the pending application expeditiously.

4. Learned State counsel submits that considering the date of the application, it appears that the same might have already been decided by the competent authority. However, appropriate directions may be issued in this regard.
5. Having heard learned counsel for the parties and upon perusal of the material available on record, this Court finds that the grievance of the petitioners pertains to non-consideration of their application for grant of forest rights/patta, which was initially submitted on 10.12.2014 and followed by a reminder dated 26.07.2021.
6. Be that as it may, in the interest of justice, it would be appropriate to direct the concerned authorities to take a decision on the said application. Accordingly, the concerned authority is directed to consider and decide the application of the petitioners for grant of



patta/lease in respect of the forest land, if the same has not already been decided, within a period of 60 days from the date of receipt of a certified copy of this order, and to communicate the outcome thereof to the petitioners forthwith.

7. The petitioners are directed to submit a copy of this order before the concerned authorities within a period of 10 days from today.
8. With the aforesaid directions, the petition stands disposed of.

Sd/-

**(Amitendra Kishore Prasad)
Judge**

Shayna