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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2900 of 2026

- 1** - Radheshyam Patel S/o Shri Sudharu Ram Aged About 46 Years R/o Village- Machaha, Police Station And Tahsil- Pachpedi, District- Bilaspur (C.G.)
- 2** - Radhe Lal Patel S/o Shri Sudharu Ram Aged About 40 Years R/o Village- Machaha, Police Station And Tahsil- Pachpedi, District- Bilaspur (C.G.)
- 3** - San Kumar Patel S/o Shri Sudharu Ram Aged About 32 Years R/o Village- Machaha, Police Station And Tahsil- Pachpedi, District- Bilaspur (C.G.)

... Petitioners

versus

- 1** - State Of Chhattisgarh Through- The Secretary, Department Of Revenue, Mahanadi Bhawan, New Raipur, Civil And Revenue District- Raipur (C.G.)
- 2** - The Collector Balodabazar, District- Balodabazar-Bhatapara (C.G.)
- 3** - The Tahsildar Lavan, District- Balodabazar-Bhatapara (C.G.)
- 4** - The Patwari Halka No. Village- Dharashiv, Tahsil- Lavan, District- Balodabazar-Bhatapara (C.G.)
- 5** - The Sarpanch Village Panchayat-Dharashiv, Police Station And Tahsil- Lavan, District- Balodabazar-Bhatapara (C.G.)
- 6** - Smt. Shahar Bai W/o Shri Takhatram Patel Aged About 65 Years R/o Village- Khapari, Police Station And Tahsil- Bilha, District- Bilaspur (C.G.)
- 7** - Preeti Patel D/o Shri Dukhit Ram Patel Aged About 22 Years Caste- Marar, At Present R/o Village- Dharashiv, Tahsil- Lavan, District- Balodabazar-Bhatapara (C.G.)

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Paras Mani Shriwas, Advocate
For State	:	Mr. Saumitra Kesharwani, Panel Lawyer

**Hon'ble Shri Amitendra Kishore Prasad, Judge****Order on Board****18.06.2026**

1. The petitioners have filed the present writ petition seeking a direction to respondent No.2/Collector, Balodabazar-Bhatapara, to consider and decide their complaint/representation dated 22.05.2026 and to ensure consideration of the objections raised by the petitioners in the mutation proceedings pending before respondent No.3/Tahsildar, Lavan, District Balodabazar-Bhatapara. The petitioners have prayed for following relief(s):-

“(i) That, the Hon'ble Court may kindly be pleased to call the entire record from the respondent authorities.

(ii) That, the Hon'ble Court may kindly be pleased to direct the Respondent No. 02/Collector of the Balodabazar-Bhatapara (C.G.) may be decide the pending Complaint/representations petitioner's dated 22.05.2026 (Annexure P-1), whereby direct to Respondent No. 03/Tahsildar Lavan to consider the objections raised by petitioner's upon the application submitted by respondent No. 07/Preeti Patel.

(iii) That, the Hon'ble Court may kindly be pleased to direct the Respondent No. 02/Collector of the Balodabazar-Bhatapara (C.G.) may be decide the pending Complaint/representations petitioner's dated



22.05.2026 (Annexure P-1), whereby direct to Respondent No. 03/Tahsildar Lavan to take the petitioners application under section 109, 110 of C.G. Land Revenue Code and recorded the name of petitioners as well as name of the respondent No. 06 in the revenue record in place of deceased Ramkhilawan and Leela Bai, who are the actual legal representatives of the deceased Ramkhilawan and Leela Bai.

(iv) Any other relief, which may be deemed, fit by this Hon'ble Court just and proper in the facts and circumstances of the case may also be provided in favor of the petitioner.”

2. Learned counsel for the petitioners submits that respondent No.7 has moved an application before the Tahsildar, Lavan seeking mutation of the lands standing in the name of deceased Ramkhilawan and Leela Bai. It is submitted that the petitioners, claiming themselves to be legal heirs and interested persons in respect of the subject property, have already filed their objections dated 29.09.2025 in the said mutation proceedings. It is further submitted that when the objections filed by the petitioners were not being considered, the petitioners submitted an application under Sections 109 and 110 of the Chhattisgarh Land Revenue Code, 1959 seeking mutation of their names in the revenue records along with respondent No.6 on the basis of their claim as legal representatives of the deceased persons. According to learned counsel, the said application is still pending consideration



before the concerned Tahsildar. He further submits that despite repeated requests, the concerned Tahsildar is not entertaining the application submitted by the petitioners and is proceeding with the matter without considering their claim. Aggrieved thereby, the petitioners submitted a detailed complaint/representation before the Collector, Balodabazar-Bhatapara on 22.05.2026 bringing the aforesaid facts to his notice and seeking appropriate intervention. However, till date no action has been taken on the said complaint, compelling the petitioners to approach this Court by way of the present writ petition.

3. Learned State counsel, on the other hand, submits that the mutation proceedings are pending consideration before the competent revenue authority and no final order has yet been passed therein. It is submitted that if the petitioners have any grievance with regard to non-consideration of their objections or application under Sections 109 and 110 of the Chhattisgarh Land Revenue Code, 1959, they may place the same before the competent authority, who shall consider the matter in accordance with law. It is further submitted that the Collector shall have no objection in examining the petitioners' representation and taking an appropriate decision thereon.
4. Having heard learned counsel for the parties and considering the limited grievance raised in the present petition, this Court is of the opinion that the ends of justice would be met if the



complaint/representation submitted by the petitioners before the Collector is considered in accordance with law.

5. Accordingly, considering the aforesaid aspect of the matter, respondent No.2/Collector, Balodabazar-Bhatapara is directed to consider and decide the petitioners' complaint/representation dated 22.05.2026 expeditiously in accordance with law.
6. The Collector shall also examine the grievance of the petitioners that their objections and application submitted under Sections 109 and 110 of the Chhattisgarh Land Revenue Code, 1959 are not being entertained by the concerned Tahsildar. If found appropriate, the Collector may issue necessary directions to respondent No.3/Tahsildar, Lavan for consideration of the petitioners' application and objections strictly in accordance with law.
7. It is the specific case of the petitioners that they are interested parties and claim rights in the subject property and, therefore, their names are also required to be considered for recording in the revenue records. The Collector shall take note of the said grievance and ensure that before any order affecting the rights of the parties is passed in the mutation proceedings, due opportunity of hearing is afforded to the petitioners, respondents No.6 and 7 and all other affected parties.
8. The concerned Tahsildar, while considering the mutation proceedings and the application submitted by the petitioners, shall pass a reasoned and speaking order expeditiously in accordance



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with law after considering the rival claims of all concerned parties and the documents placed on record.

9. It is made clear that this Court has not expressed any opinion on the merits of the claims raised by either party and all issues are left open to be decided by the competent revenue authority.
10. With the aforesaid observations and directions, the present writ petition stands disposed of.
11. There shall be no order as to costs.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh