



2026:CGHC:8757-DB



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 116 of 2026**

Dr. Sachin Ashok Kale S/o (Late) Shri Ashok Kale Aged About 46 Years
R/o Kale Wada Tilak Nagar, Main Road Police Station Civil Lines,
Bilaspur (C.G.) 495001 Mob-9425530260 (In Person)

... Appellant**versus**

- 1** - State of Chhattisgarh Through Chief Secretary Govt. of Chhattisgarh, Mantralaya Naya Raipur (C.G.)
- 2** - State of Chhattisgarh Through Secretary Law And Legislation Dept. Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)
- 3** - State of Chhattisgarh Through Secretary, Commercial Tax (Excise), Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)
- 4** - State of Chhattisgarh Through Secretary Agriculture Dept. Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)
- 5** - State of Chhattisgarh Through Chief Secretary, Forest And Climate Change Dept. Govt. of Chhattisgarh, Mantralaya Naya Raipur (C.G.)
- 6** - State of Chhattisgarh Through Secretary, Finance Dept. Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)
- 7** - State of Chhattisgarh Through Secretary Agriculture Dept. Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)
- 8** - State of Chhattisgarh Through Secretary, Bio Diversity Board Govt. of Chhattisgarh, Mantralaya, Naya Raipur (C.G.)

... Respondents



Appellant in person : Dr. Sachin Ashok Kale
For Respondents/ State : Mr. Shashank Thakur, Additional Advocate
General

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

19.02.2026

1. Heard Dr. Sachin Ashok Kale, appellant in person as well as Mr. Shashank Thakur, learned Additional Advocate General, appearing for the State/respondents.
2. By way of present writ appeal under Section 2 of Sub-Section (1) of the Chhattisgarh High Court (Appeal to Division Bench Act, 2006, the appellant – in person has challenged the order dated 12.09.2025 passed by learned Single Judge in WPC No.4812 of 2025 by which the writ petition filed by the writ petitioner/ appellant herein has been dismissed by the learned Single Judge.
3. Brief facts, necessary for disposal of this appeal, are that the writ petitioner / appellant in person herein has filed a writ petition before this Court being WPC No. 4812/2025, seeking direction to respondents to decide the representation submitted by him in the Office of respondents on 22.02.2024 in which he is requesting the respondents to allow / permitting him to cultivate and develop an eco-system of industrial hemp / cannabis in the State as per guidelines laid in NDPS Act, 1985 & Constitution of India. The said writ petition was dismissed by the learned Single Judge vide



impugned order dated 12.09.2025. Hence, this appeal.

4. Dr. Sachin Ashok Kale, appellant in person submits that the learned Single Judge erred in dismissing WPC No. 4812/2025 without appreciating that the writ petition sought only a limited relief, namely, a direction to the respondents to consider and decide the appellant's representation dated 22.02.2024. The appellant did not seek automatic grant of permission for cultivation of industrial hemp, but merely a time-bound consideration of his proposal in accordance with law. The representation was submitted under the statutory framework of the NDPS Act, 1985, which empowers the State Government to regulate and permit cultivation of cannabis for industrial and scientific purposes. In the absence of any communicated decision on the representation, the inaction of the respondents is arbitrary and contrary to settled principles of administrative law. It is further submitted that the appellant's proposal relates to lawful industrial activity protected under Article 19(1)(g) of the Constitution of India, subject to reasonable restrictions, and that the authorities are at least duty-bound to examine the request in accordance with statutory provisions and applicable policy. The learned Single Judge, instead of directing consideration of the pending representation, dismissed the petition outright, thereby denying the appellant an opportunity of administrative adjudication. It is therefore prayed that the impugned order dated 12.09.2025 be set aside and the respondents be directed to decide the appellant's representation



within a stipulated time frame in accordance with law.

5. On the other hand, Mr. Shashank Thakur, learned Additional Advocate General, appearing for State/ respondents submitted that the present writ appeal is devoid of merit and is liable to be dismissed. The appellant has sought a direction for consideration of his representation regarding cultivation and development of industrial hemp/cannabis in the State; however, it is pertinent to submit that for substantially similar relief, the appellant had earlier approached this Hon'ble Court by filing WPPIL No. 9 of 2025. The said Public Interest Litigation was considered and dismissed by the Division Bench of this Court vide order dated 07.07.2025. Having failed in the earlier round of litigation before the Division Bench, the appellant cannot be permitted to re-agitate the same issue in a different proceeding under the guise of seeking consideration of a representation. It is further submitted that the present writ petition was rightly dismissed by the learned Single Judge, as no enforceable legal right of the appellant has been demonstrated. The cultivation of cannabis/industrial hemp is strictly governed and regulated under the NDPS Act, 1985 and is subject to State policy and statutory control. In the absence of any statutory duty cast upon the respondents to grant or consider such permission in the manner sought, no mandamus can be issued. The appeal, being an attempt to circumvent the earlier dismissal of WPPIL No. 9 of 2025 and lacking any new cause of action, deserves to be dismissed with costs.



6. Upon hearing the appellant, who appears in person, and learned State counsel, and on perusal of the record, we find that for substantially similar relief the appellant had earlier approached this Court by filing WPIL No. 9 of 2025, which came to be dismissed by a Co-ordinate Bench of this Court vide order dated 07.07.2025. The issue sought to be projected in the present proceedings is essentially the same, though couched in the form of seeking consideration of a representation. The appellant cannot be permitted to re-agitate the matter indirectly after having failed in earlier proceedings before a coordinate Division Bench.
7. We further find that no enforceable legal right has been demonstrated by the appellant warranting issuance of a writ of mandamus. The subject matter relates to a highly regulated field governed by statutory provisions and policy considerations, and in absence of any statutory obligation shown to exist requiring the respondents to grant or consider permission in the manner claimed, the learned Single Judge committed no error in dismissing the writ petition. No ground for interference in intra-court appeal is made out.
8. Accordingly, the writ appeal is **dismissed**. No order as to costs.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice