



2026:CGHC:8369

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 683 of 2026**

Dhobiya S/o Late Kala Ram Aged About 50 Years R/o Village Bhanaura, Police Station And Tahsil - Balrampur, District - Balrampur - Ramanujganj (C.G.)

... Petitioner.**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Revenue, Mahanadi Bhavan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur (C.G.)
2. State Of Chhattisgarh Through The Secretary, Department Of Forest, Mahanadi Bhavan, Mantralaya, Atal Nagar, Nawa Raipur, District Raipur (C.G.)
3. The Collector Balrampur, District Balrampur - Ramanujganj (C.G.)
4. Sub Divisional Forest Officer (Dfo) Balrampur Forest Division, Balrampur, District Balrampur - Ramanujganj (C.G.)
5. Sub-Divisional Officer (Revenue) Balrampur, District Balrampur - Ramanujganj (C.G.)
6. Forest Range Officer Forest Range Balrampur, District Balrampur - Ramanujganj (C.G.)

... Respondents.

(cause title downloaded from CIS Periphery)

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| For Petitioner | : | Mr. Rishikant Mahobia, Advocate. |
| For Res/State | : | Mr. Sabyasachi, Choubey, Govt. Advocate. |

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****17/02/2026**



1. This Writ Petition under Article 226 of the Constitution of India has been filed for the following reliefs:-

“10.1 This Hon'ble Court may kindly be pleased to quash and set aside the impugned notice dated 29.07.2025 issued by the Respondent Forest Department in relation to the land situated in Compartment No.P-3394, Village Bhanura, Police Station Balrampur, District Balrampur Ramanujganj (C.G.), being illegal, arbitrary, violative of the principles of natural justice, and without authority of law.

10.2 This Hon'ble Court may kindly be pleased to direct the respondent department to consider and deice the application of the petitioner filed before the them for grant of Van Adhikar Patta in respect of said within some stipulated period.

10.3 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. Learned counsel for the petitioner contended that the petitioner is poor and landless resident of Gram Panchayat/Village Bhanaura, Police Station and Tahsil Balrampur, District -Balrampur Ramanujganj (C.G.), however, the Forest Department has issued notice against the petitioner on 29.07.2025 (Annexure-P/1) alleging that the petitioner is unauthorized occupant of forest land falling under Compartment No.P3394 (Near Bainka River) and directed him to produce valid document in respect of said land within a period of 03 days, failing which, leave the said property within 7 days. Subsequently, the petitioner has filed application/representation dated 30.01.2026 (Annexure-P/2) before the Collector, Balrampur stating all facts and he has claimed for grant of Van Adhikar Patta upon the said land in which, the petitioner is in occupant alongwith his family. However, till date no decision in respect of said application has been taken by the respondent



Authorities. Moreover, on one hand they are also not taking decision upon the application for grant of Patta filed by the petitioner and on the other hand, respondent Authorities are saying to vacate the said land within forthwith, failing which coercive action shall be taken. He further contended that the petitioner's forefather have possessed the said land since last 40-50 years and now the petitioner and his family members are residing in the said house and except this there is no other house or land of the petitioner. He also submits that the petitioner is continuously demanding Van Adhikar Patta of the said land from the respondent Department but till date, they have not given any heed to his demand or application for grant of Van Adhikar Patta and were kept in abeyance by the respondent Department. He further submits that all of sudden, the respondent Authorities has issued notice impugned notice to the petitioner and want to demolish the house of the petitioner instead of deciding the application for grant of Patta which has already been kept pending by respondent Authority.

In view of such submission, learned counsel submits that the impugned notice (Annexure-P/1) has been issued without affording any opportunity of hearing to the petitioner, without conducting any proper enquiry or verification of facts, and without considering the long-standing peaceful possession of the petitioner spanning over two decades, therefore, this petition may be allowed and appropriate order may be passed in favour of the petitioner.

3. On the other hand, learned State counsel submits that the impugned notice (Annexure-P/1) has been issued to the petitioner only to produce valid document within 3 before the Forest Department, therefore, the petitioner should produce the same.



4. Heard learned counsel for the parties and perused the record.
5. A perusal of the records reveals that the Forest Department issued a notice to the petitioner on 29.07.2025 (Annexure P/1), alleging the illegal construction of a house on Compartment No. P-3394 (near the Bainka River) in Village Bhanura, Police Station and Tahsil Balrampur, District Balrampur-Ramanujganj (C.G.). By the said notice, the petitioner has been directed to produce valid documentation for the land within 3 days, failing which he has been ordered to vacate the property within 7 days. Further, as per submission made by counsel for the petitioner that the petitioner belongs to Scheduled Tribes community and he is residing over the said land since long along with his family members, he is a landless person. The petitioner has also filed application dated 30.01.2026 (Annexure P-2) before the Collector, Balrampur stating all facts and he has claimed for grant of Van Adhikar Patta of the said land in which, the petitioner is in residing alongwith his family, but till date, no decision in respect of said application has been taken by the respondent authorities.
6. Having regard to the aforesaid facts, the present petition is disposed of with a direction to Respondent No.3 – Collector, Balrampur, District Balrampur – Ramanujganj (C.G.) to decide the application/representation dated 30.01.2026 (Annexure P-2) submitted by the petitioner for grant of Van Adhikar Patta of the subject land i.e compartment No.P-3394 (Near Bainka River) situated at Gram Panchayat/Village Bhanaura, Police Station and Tahsil Balrampur, District -Balrampur Ramanujganj, within an outer limit of '90 days' from the date of receipt of copy of this order, in accordance with rules, regulations and law.



7. It is also observed that till the decision of application (Annexure P/2), no coercive action shall be taken against the petitioner with respect to subject land.
8. It is also made clear that this Court has not expressed any opinion on the merits of the case and concerned Authority shall decide the application/representation in accordance with law.
9. With the aforesaid observation and direction, this petition stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay