



2026:CGHC:28403



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2932 of 2022

1 - Deepak S/o Manohar Patnaik Aged About 30 Years R/o Village Dansara, Tahsil Sarangarh, District Raighr (C.G.) At Present R/o Shankar Nagar, Dhangardipa, Raigarh, Tahsil And District Raigarh (C.G.)

2 - Manohar S/o Bhuneshwar Patnaik Aged About 65 Years R/o Village Dansara, Tahsil Sarangarh, District Raigarh (C.G.) At Present R/o Shankar Nagar, Dhangardipa, Raigarh, Tahsil And District Raigarh (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Collector, Raigarh, District Raigarh (C.G.)

2 - The Tahsildar Sarangarh, District Raigarh (C.G.)

3 - Padman S/o Banshidhar Mahti (Bahidar), R/o Village Dansara, Tahsil Sarangarh, District Raigarh (C.G.)

... Respondent(s)

(Cause Title downloaded from CIS Periphery)

For Petitioner(s) : Mr. Haishankar Patel, Advocate

For Respondent/ : Mr. Amit Nayak, Panel Lawyer

State

For Respondent : Mr. BL Dembra, Advocate

No.3



SB: Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

09/07/2026

1. By way of this petition, the petitioners seek the following reliefs :

10.1 That this Hon'ble Court may kindly be pleased to call the records of the case.

10.2 That this Hon'ble Court may kindly be pleased to issue an appropriate writ, thereby setting-aside/quashing the impugned order dated 30.05.2022 (Annexure P/1) and further be pleased to direct the respondent no. 2 not to take any coercive step against the petitioners in respect to subject property.

10.3 That any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the cost of the petition may be given.

2. Learned counsel for the petitioners submits that the petitioners have filed this petition against the order dated 30.5.2022 passed by the Additional Collector, Raigarh in Revenue Revision Case No.42/A-6/2020-21. By the said order, the Collector affirmed the order dated 17.3.2021 passed by the Tehsildar, Sarangarh,



whereby, on an application filed by respondent No.3, the petitioners were directed to produce Rin Pustika in respect of the land held by them. He further submits that the Tehsildar cannot compel the petitioners to produce documents on an application filed by respondent No.3. As such, the order dated 17.3.2021 passed by the Tehsildar and the order dated 30.5.2022 affirming the same, are both defective.

3. On the other hand, learned counsel appearing for respondents 1 & 2 as well as respondent No.3, who has filed the application for producing Rin Pustika submit that the Tahsildar has rightly passed the order directing the petitioner to produce Rin Pustika of the petitioner, which has further been affirmed by the Additional Collector by the impugned order and the same is not required to be interfered with.
4. Having heard learned counsel for the parties and having perused the documents annexed with the petition, it appears that the parties have been litigating for a considerable time before both the Civil Court as well as the Revenue Court. Furthermore, one of the parties has also approached the Hon'ble Supreme Court, where certain orders have already been passed. Hence, the filing of an application seeking documents and the subsequent direction by the Tehsildar compelling the petitioners to produce them, is entirely alien to the relevant provisions contained in the Chhattisgarh Land Revenue Code. Even if the petitioners are called upon to submit their documents, the concerned Tehsildar has no authority or power to compel the petitioners to produce



the same at the instance of a private respondent. At best, the Tehsildar may draw an adverse inference against the petitioners for non-production, but he cannot compel the petitioners to file documents against their will. Therefore, in my view, an application of this nature cannot be entertained by the Tehsildar.

5. A perusal of the record shows that no proceeding was pending before the concerned Tehsildar when the matter was entertained. Respondent No.3 only filed an independent application seeking a direction against the petitioners to produce the Rin Pustika. Had there been an ongoing proceeding pending before the Tehsildar wherein the production of such document was necessary for adjudication, only then would the passing of such an order be legally permissible.
6. In light of the foregoing, this Court is of the opinion that the concerned Tehsildar has manifestly acted against the provisions of law by passing the impugned order dated 17.3.2021. Consequently, the subsequent order dated 30.5.2022 passed by the concerned Collector affirming such an order is equally erroneous.
7. According, the impugned order dated 17.3.2021 passed by the concerned Tehsildar and the impugned order 30.5.2022 passed by the concerned Collector are quashed.
8. With the aforesaid observations/directions, the Petition is disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge