



2026:CGHC:3504



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 276 of 2026

Shukdew Prasad Patel S/o Late Gangadhar Patel Aged About 53 Years R/o Village Salar Tehsil Sarangarh District- Sarangarh-Bilaigarh (C.G.) Presently R/o Village Khairjhiti Gram Panchayat Salar Tehsil Sarangarh District- Sarangarh-Bilaigarh (C.G.)

... Petitioner.

versus

1. The State Of Chhattisgarh Through- The Secretary Department Of Forest And Claimant Change Mahanadi Bhawan Mantralaya Atal Nagar, Nava Raipur District- Raipur (C.G.).
2. The Principal Chief Conservator Of Forest Of Chhattisgarh Aranayan Bhawan Atal Nagar, Nava Raipur (C.G.).
3. The Chief Conservator Of Forest Bilaspur Circle District- Bilaspur (C.G.)
4. The Divisional Forest Officer Sarangarh- Bilaigarh Division District- Sarangarh-Bilaigarh (C.G.)
5. The Incharge Forest Circle Officer Gomarda Wild Life Sanctuary Sarangarh District- Sarangarh-Bilaigarh (C.G.)
6. The Forest Compund Guard Kanakbeera Tehsil Sarangarh District- Sarangarh-Bilaigarh (C.G.)

... Respondents.

{cause title downloaded from CIS Periphery}

For Petitioner	:	Mr. Roop Ram Naik, Advocate.
For Res/State	:	Mr. Sabyasachi Choubey, Government Advocate.



(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

21/01/2026

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

"10.1) That, this Hon'ble Court may kindly be pleased to issued appropriate writs/orders/directions by setting aside the notice dated 23.12.2025 (Annexure P-1) issued by the respondent No. 5.

10.2) That, this Hon'ble Court may kindly be pleased to issued appropriate writs/orders/directions to the respondent No. 5 to consider the reply dated 29.12.2025 in objective manner.

10.3) That, this Hon'ble Court may kindly be pleased to issued appropriate writs/orders/directions against the respondent No. 5 / respondent state authority to not demolish the house of the petitioner which is not situated in the Government Conserved Demarcated Forest Compartment No. 929 P.F. and the same has been situated in the Aabadi land.

10.4) That, this Hon'ble Court may kindly be pleased to issue any other suitable writ/orders/directions in favour of the petitioner looking to the facts and circumstances of the case."

2. Mr. Roop Ram Naik, learned counsel for the petitioner submits that the petitioner has constructed his house on the Abadi land of Village Salar, Tahsil Sarangarh, District Sarangarh-Bilaigarh since many years, but respondent No.5 has issued notice (Annexure-P/1) against the petitioner on 23.12.2025 to vacate the said land claiming said land to



be part and parcel of Forest Land Compartment No.929. He further submits that various other villagers are residing surrounding the house of the petitioner and other buildings have also been constructed under the Government projects. Further, on 17.01.2022 the Forest Right Committee of Gram Panchayat Salar in its meeting held that land possessed by the petitioner and other villagers are Abadi land, despite that said notice (Annexure-P/1) has been issued. He also submits that the petitioner has submitted reply to the aforesaid notice on 29.12.2025 (Annexure-P/6) but no relief has been given to the petitioner. However, he is ready and willing to file fresh representation before respondents No.4 and 5. Hence, this petition may be disposed of directing respondents/Authority to decide representation of the petitioner and to demarcate land of the petitioner to ascertain as to whether land upon which house of the petitioner is constructed is part and parcel of the land bearing Forest Land Compartment No.929 or Abadi land.

3. Mr. Sabyasachi Choubey, learned State counsel submits that if petitioner will file fresh representation, the same shall be considered and decided in accordance with law.
4. Having regard to the limited prayer made by counsel for the petitioner and further considering that the main dispute is whether the land possessed by the petitioner is Abadi land or forest land, this petition is disposed of directing the petitioner to file fresh representation before the respondents No.4 and 5 within a period of 30 days from today. After receipt of such representation, the respondents No.4 and 5 shall consider and decide the same within further period of 60 days.



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5. This Court also observes that, if requires the respondents No.4 and 5 shall take suitable steps for demarcation of the subject land to ascertain whether said land is Abadi land or forest land.
6. It is further directed that till decision of the aforesaid representation status quo, as it exists today, shall be maintained by the parties.
7. With the aforesaid direction/observation, this petition stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay.