



2026:CGHC:3002



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 175 of 2026

Pukhraj Jain S/o Lunkaran Jain Aged About 67 Years R/o Main Road Mahavir Ward, Keshkal, District Kondagaon, Chhattisgarh

--- **Petitioner**

versus

- 1 - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt- Raipur (C.G.)
- 2 - Collector Kondagaon, District- Kondagaon C.G.
- 3 - Nagar Panchayat Keshkal Through Chief Municipal Officer (CMO), Nagar Panchayat Keshkal, District- Kondagaon C.G.
- 4 - Sub Divisional Officer (Revenue) Keshkal, District- Kondagaon C.G.
- 5 - Sub Divisional Officer PWD National Highway 30 Sub Division Kanker, Chhattisgarh
- 6 - Executive Engineer PWD National Highway Division Jagdalpur, Chhattisgarh Acting As Authorized Officer, National Highway Administration, Kondagaon, Chhattisgarh

--- **Respondents**

WPC No. 177 of 2026

Saurabh Bhurat S/o Mansukh Lal Bhurat Aged About 35 Years R/o Main Road Borgoan, Keshkal, District Kondagaon C.G.

---**Petitioner**

Versus

- 1 - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt. Raipur C.G.
- 2 - Collector, Kondagaon, District Kondagaon C.G.
- 3 - Nagar Panchayat Keshkal, Through Chief Municipal Officer (C M O), Nagar Panchayat Keshkal, District Kondagaon C.G.
- 4 - Sub Divisional Officer (Revenue), Keshkal, District Kondagaon C.G.



5 - Sub Divisional Officer P W D National Highway 30 Sub Division Kanker, Chhattisgarh

6 - Executive Engineer, P W D National Highway Division Jagdalpur, Chhattisgarh
Acting As Authorized Officer, National Highway Administration, Kondagaon, Chhattisgarh

--- Respondents

WPC No. 178 of 2026

Suresh Jain @ Pappu S/o- Ghevar Chand Jain Aged About 60 Years R/o - Main Road, Borgoan, Keshkal, District Kondagaon, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt - Raipur (C.G.)

2 - Collector Kondagaon, District - Kondagaon C.G.

3 - Nagar Panchayat Keshkal Through Chief Municipal Officer (CMO), Nagar Panchayat Keshkal, District - Kondagaon, (C.G.)

4 - Sub Divisional Officer (Revenue) Keshkal, District Kondagaon (C.G.)

5 - Sub Divisional Officer PWD National Highway 30 Sub Division Kanker, Chhattisgarh

6 - Executive Engineer PWD National Highway Division Jagddalpur, Chhattisgarh
Acting As Authorized Officer, National Highway Administration, Kondagaon, Chhattisgarh

--- Respondents

WPC No. 179 of 2026

Magraj Goyal S/o Anutaram Goyal Aged About 66 Years R/o - 57 Ward 13, Boregaon, Keshkal, District Kondagaon, Chhattisgarh

---Petitioner

Versus

1 - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt - Raipur (C.G.)

2 - Collector Kondagaon, District - Kondagaon C.G.

3 - Nagar Panchayat Keshkal Through Chief Municipal Officer (CMO), Nagar Panchayat Keshkal, District - Kondagaon, (C.G.)

4 - Sub Divisional Officer (Revenue) Keshkal, District Kondagaon (C.G.)

5 - Sub Divisional Officer PWD National Highway 30 Sub Division Kanker, C.G.



6 - Executive Engineer PWD National Highway Division Jagdalpur, Chhattisgarh
Acting As Authorized Officer, National Highway Administration, Kondagaon C.G.

--- Respondents

WPC No. 181 of 2026

Mohit Jain S/o Late Prakash Chnd Jain Aged About 32 Years R/o - 11, Rishabh Residency Near Medishine Hospital, New Rajendra Nagar, Raipur, Chhattisgarh

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, District : Raipur, Chhattisgarh
- 2** - Collector Kondagaon, District : Kondagaon, Chhattisgarh
- 3** - Nagar Panchayat Keshkal Through Chief Municipal Officer (C M O), Nagar Panchayat Keshkal, District : Kondagaon, Chhattisgarh
- 4** - Sub Divisional Officer (Revenue) Keshkal, District : Kondagaon, Chhattisgarh
- 5** - Sub Divisional Officer P W D National Highway 30 Sub Division Kanker, Chhattisgarh
- 6** - Executive Engineer P W D National Highway Division Jagdalpur, Chhattisgarh Acting As Authorized Officer, National Highway Administration, Kondagaon, Chhattisgarh

--- Respondents

WPC No. 186 of 2026

Manju Devi Katariya W/o Mahendra Katariya Aged About 59 Years Main Road, Post Office- Keshkal, District- Kondagaon, Chhattisgarh 494331

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt- Raipur (C.G.)
- 2** - Collector Kondagaon, District- Kondagaon C.G.
- 3** - Nagar Panchayat Keshkal Through Chief Municipal Officer (CMO), Nagar Panchayat Keshkal, District- Kondagaon C.G.
- 4** - Sub Divisional Officer (Revenue) Keshkal, District- Kondagaon C.G.
- 5** - Sub Divisional Officer PWD National Highway 30 Sub Division Kanker Chhattisgarh.



6 - Executive Engineer, PWD National Highway Division Jagdalpur, Chhattisgarh
Acting As Authorized Officer, National Highway Administration Kondagaon,
Chhattisgarh

--- Respondents

WPC No. 187 of 2026

Shrikant Katariya S/o Padamchand Katariya Aged About 41 Years R/o - Keshkal, P/
O- Keshkal, District - Kondagaon, (Chhattisgarh), 494331

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt - Raipur (C.G.)
- 2** - Collector Kondagaon, District - Kondagaon C.G.
- 3** - Nagar Panchayat Keshkal Through Chief Municipal Officer (CMO), Nagar Panchayat Keshkal, District - Kondagaon, (C.G.)
- 4** - Sub Divisional Officer (Revenue) Keshkal, District Kondagaon (C.G.)
- 5** - Sub Divisional Officer PWD National Highways 30 Sub Division Kanker, C.G.
- 6** - Executive Engineer PWD National Highway Division Jagdalpur, Chhattisgarh Acting As Authorized Officer, National Highway Administration Kondagaon, C.G.

--- Respondents

WPC No. 188 of 2026

Shri Jain Shwetambar Adinath Jinaalay And Dadawadi Keshkal, Through-
President, Santosh Katariya, S/o Late Shri Dungar Chand Katariya, Aged About- 65
Years, R/o House No. 308 (B), Main Road, Post Office- Keshkal, Distt.-
Kondagaon, Chhattisgarh, 494331.

---Petitioner

Versus

- 1** - State Of Chhattisgarh Through Secretary, Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhawan, Nava Raipur, Distt.- Raipur (C.G.)
- 2** - Collector Kondagaon, District- Kondagaon (C.G.)
- 3** - Sub Divisional Officer (Revenue) Keshkal, District- Kondagaon (C.G.)
- 4** - Sub Divisional Officer PWD National Highway 30 Sub Division Kanker, Chhattisgarh
- 5** - Executive Engineer PWD National Highway Division Jagdalpur, Chhattisgarh Acting As Authorized Officer, National Highway Administration, Kondagaon, Chhattisgarh

--- Respondents



For Petitioners	:	Ms. Surya Kawalkar Dangi, Advocate
For Respondents 1 to 3/ State	:	Mr. Gary Mukhopadhyay, Addl. Advocate General
For Respondents 4 & 5	:	Mr. Ramakant Mishra, Dy. Solicitor General

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order On Board

19.01.2026

1. Since the issue involved in all the above mentioned cases is similar, they are being heard and disposed by this common order. (For the sake of convenience, WPC No.175/2026 is treated as leading case.)

2. The petitioners have preferred these writ petitions under Article 226 of the Constitution of India, seeking following relief(s):-

10.1 Hon'ble Court may be kind and gracious enough to call for the records of the case from the respondents.

10.2 Issue a writ of Certiorari quashing the impugned notices dated 11.11.2025, 09.11.2025, 05.01.2026 and 09.01.2026 issued by the Nagar Panchyat, Keshkal and the National Highways Authority (PW);

10.3 Direct the Respondents to conduct fresh measurements of the subject land/property in the presence of the Petitioner.

10.4 Direct the Respondents, after conducting such fresh measurements, to grant the Petitioner a reasonable opportunity of hearing and thereafter pass a reasoned and speaking order in accordance with law.

3. Learned counsel for the petitioners submits that the petitioners are recorded owners of the land bearing Khasra No.21/16 area 0.0240 hectares; khasra No. 4/5 area 0.0320 hectare; khasra No. 26/105 area 0.60 hectare; khasra No.6/2 area 0.030 hectare; khasra No.26/20 area 0.0160



hectares; khasra No.26/4/क/3 area 0.0360 hectare & khasra No.26/21/क area 0.0160 hectare; khasra No.26/4/क/2 area 0.0520 hectare and khasra No. 26/2 area 0.044 hectares respectively in village Boregaon and Keshkal, PH No.17, Keshkal on roadside of National Highway 30. The petitioners have been served with various notices (including Annexure-P/1) by respondents No.3 & 6, observing therein that they have encroached 2.40 m x7.80 m; 3.60m x 13.10m & 3.60m x 13.10m; 3.80m x 6.10 m; 1.500m x5.90m; 4.0m x 10.30 m; 7.00m x 28.70m and 5.20m x 15.50m of land of National Highway and constructed houses/shops/Jain Mandir etc. in it. Therefore, the respondents have instructed the petitioners vide Annexure-P/1 to remove their illegal possession over the said National Highway. Learned counsel further submits that no demarcation has been made on the said land in the presence of the petitioners, whereas, the petitioners are in possession over the said land and some of them have constructed house/shops/Jain Mandir etc. therefore, these petitions may be admitted for hearing.

4. Per contra, learned Dy. Solicitor General of India for Union of India and learned Additional Advocate General for the State, jointly submit that earlier survey was made by a team of revenue authorities, in which it was found that the petitioners have encroached land of National Highway bearing Khasra No.23, 10/1, 10/1, 25/11, 10/1, 25, 25, 12, 25 & 25 respectively and they have also constructed houses/shops/Jain Mandir etc. in it, therefore, notices have been served to them. It is further submit that notices have not been given to the petitioners for encroachment of land bearing Khasra No.21/16; khasra No. 4/5; khasra No. 26/105; khasra No.6/2; khasra No.26/20; khasra No.26/4/क/3 & khasra No.26/21/क; khasra No.26/4/क/2 and khasra No. 26/2, to which the petitioners are claiming their



title.

5. Heard learned counsel for the parties and perused the material available on record.

6. Undisputedly, National Highway 30 is under construction. It also appears from the pleading of the petitioners that their land is adjacent to the National Highway 30. As per the petitioners, they have constructed houses/shops/Jain Mandir etc. in their own land bearing Khasra No.21/16 area 0.0240 hectares; khasra No. 4/5 area 0.0320 hectare; khasra No. 26/105 area 0.60 hectare; khasra No.6/2 area 0.030 hectare; khasra No.26/20 area 0.0160 hectares; khasra No.26/4/क/3 area 0.0360 hectare & khasra No.26/21/क area 0.0160 hectare; khasra No.26/4/क/2 area 0.0520 hectare and khasra No. 26/2 area 0.044 hectares respectively, whereas, learned counsel for the respondents submit that National Highway is not being constructed on the aforesaid lands, it is being constructed on Khasra No.23 and other land. But the petitioners have encroached Khasra No.23, 10/1, 10/1, 25/11, 10/1, 25, 25, 12, 25 & 25, which is evident from the survey report made by the revenue authorities. Thus, it is found to be a disputed facts as to whether said houses/shops/Jain Mandir etc. of the petitioners have been constructed over the khasra numbers as mentioned above or they have encroached National Highway bearing Khasra Nos.23, 10/1, 10/1, 25/11, 10/1, 25, 25, 12, 25 & 25 or not. Having considered the dispute as to whether the petitioners have constructed their houses/shops/Jain Mandir etc. on their own land or they have encroached the land of National Highway, this can be ascertained after due enquiry and if required, after demarcation of the disputed lands.

7. In view of the limited dispute, instead of keeping these petitions pending, at this stage, these petitions are disposed of directing the



petitioners to approach respondent No.2, thereafter respondent No.2 shall direct the concerned competent authorities to examine the aforesaid issue as to whether the petitioners have constructed houses/shops/Jain Mandir etc. on their own land or on the land of National Highway bearing Khasra No.23, 10/1, 10/1, 25/11, 10/1, 25, 25, 12, 25 & 25 and if required, demarcation of the all the above mentioned land be also carried out in the presence of the petitioners and after giving opportunity of hearing, fresh and reasoned order may be passed in accordance with law. It is further observed that after passing of the order, it be not executed within limitation of filing appeal/revision by the aggrieved parties. It is further observed that till making enquiry as above, no coercive steps shall be taken against the petitioners.

8. In view of the above observations and directions, these petitions are disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge