



2026:CGHC:10419
NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 828 of 2026

1 - Sanjay Dubey S/o Bhagwat Prasad Dubey Aged About 61 Years R/o
Vinoba Nagar, Bilaspur, District Bilaspur Chhattisgarh
... Petitioner

versus

- 1** - State Of Chhattisgarh Through Secretary, Urban Administration And
Development Department, Mantralaya, Mahanadi Bhawan, Capital Complex,
Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh
- 2** - Municipal Corporation Bilaspur Through Its Commissioner, Municipal
Corporation Bilaspur, Vikas Bhawan Nehru Chowk, Bilaspur, District Bilaspur
Chhattisgarh
- 3** - The Commissioner Municipal Corporation Bilaspur, Vikas Bhawan Nehru
Chowk, Bilaspur, District Bilaspur Chhattisgarh
- 4** - The Building Officer Municipal Corporation Bilaspur, Vikas Bhawan Nehru
Chowk, Bilaspur Chhattisgarh
- 5** - The Collector Bilaspur, District Bilaspur Chhattisgarh

... Respondents

{Cause title, as taken from CIS}

For Petitioner	: Mr. Manoj Paranjpe, Senior Advocate assisted by Mr. Aditya Dhar Diwan, Advocate.
For Respondents No. 1 & 5	: Mr. Saumitra Kesharwani, P.L.
For Respondents No. 2, 3 & 4	: Mr. Anirudh Shrivastava, Advocate.

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

27/02/2026

1. Instant writ petition under Article 226 of the Constitution of India has been preferred by the petitioner seeking following reliefs:-

1] That, this Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions and the impugned order dated 04.02.2026 (Annex.P/1) passed by the Building Officer may kindly be set-aside and respondent authorities may kindly be directed not to insist the petitioner for obtaining the fresh sanction or in alternative the Municipal Corporation may kindly be directed to consider the case of the petitioner for compounding / for regularization of the construction already raised.

2] That, this Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders, direction/directions and respondent authorities may kindly be directed not to take any coercive steps against the petitioner.

3] That, 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 Senior Counsel appearing for the petitioner submits that the petitioner is owner of Plot No. 1, 2/4, Sheet No. 32, area 1196 sq.ft. situated at Juna Bilaspur, Gole Bazar, District Bilaspur (C.G.), on which, more than 50 years old superstructure was standing, but because of fire incident occurred on 16.09.2025 that superstructure was substantially damaged, which compelled the petitioner to raise new superstructure as it was on existing

plinth /foundation of old structure. Before raising construction, it was informed by petitioner vide Annexure P-4 dated 31.12.2025 to the Building Officer, Municipal Corporation, Bilaspur, District Bilaspur and 'No Objection Certificate' was also issued by the Nazul on 26.12.2025. Learned Senior Counsel further submits that because of aforesaid construction work, respondent No. 4 has issued notice (Annexure P-1) dated 04.02.2026 to file documents with regard to raising construction, else it would be demolished under the provisions of Section 307(3) of the Municipal Corporation Act, 1956 (for brevity, "Act, 1956"). He further submits that the petitioner is ready and intended to make an application before respondents No. 2 & 3 by making proposal for compounding of the offence of construction by the petitioner in accordance with the provisions contained in Act, 1956, hence, learned Senior Counsel submits that this petition may be disposed of granting liberty to the petitioner to file aforesaid application and, further, respondents No. 2 & 3 are directed to take a decision on the said application in accordance with law within a specific time frame.

3. In reply, learned counsel appearing for respondents No. 2,3 & 4 would submit that if the petitioner will file application for compounding of the offence of construction of building without permission under Section 308 A of the Act, 1956, then the same shall be decided in accordance with law.

4. I have heard learned counsel for the parties and perused the material available on record.

5. Having considered the limited prayer made by counsel of the petitioner, at this stage, this petition stands disposed of granted liberty to the petitioner to file application under Section 308-A of the Act, 1956 for compounding of offences of construction of building without permission within a period of 15

days from today. It is further observed that in the eventuality of filing such application by the petitioner, the respondents No. 2 & 3 are directed to consider and decide the the same in accordance with law expeditiously preferably within a period of 30 days from the date of filing of application by the petitioner.

6. With the aforesaid observation (s) & direction (s), the writ petition stand(s) disposed of.

7. Pending interlocutory application (s), if any, stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

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