



2026:CGHC:15202



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1129 of 2026

Parasram (Deceased)

- 1- Mrs Radhaba W/o Late Shri Parasram Hirwani Aged About 72 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 2 - Mahendra Kumar S/o Late Shri Parasram Hirwani Aged About 52 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 3 - Gulshan Kumar S/o Late Shri Parasram Hirwani Aged About 42 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 4 - Pratima D/o Late Shri Parasram Hirwani Aged About 48 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 5 - Madhuri D/o Late Shri Parasram Hirwani Aged About 38 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 6 - Indu D/o Late Shri Parasram Hirwani Aged About 36 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 7 - Shashi D/o Late Shri Parasram Hirwani Aged About 34 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 8 - Gyaneshwar S/o Late Shri Parasram Hirwani Aged About 32 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 9 - Kumaril Hirwani S/o Shri Late Parasram Hirwani Aged About 40 Years Note Petitioner No 9 Kumaril Hirwani Is The Holder Of General Power Of Attorney For All The Petitioner R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 10 - Geetanjali D/o Late Shri Parasram Hirwani Aged About 28 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 11 - Yogita D/o Late Shri Parasram Hirwani Aged About 28 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh
- 12 - Nilopama D/o Late Shri Parasram Aged About 24 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh



13 - Gajendra Kumar S/o Late Parasram Hirwani Aged About 22 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh

14 - Dikeshwar S/o Late Shri Parasram Hirwani Aged About 20 Years R/o Village Chendriban Navagaon Tehsil Doondihora District- Balod Chhattisgarh

(Note-Petitioner No.9 Kumaril Hirwani is the Holder of General Power of Attorney for the all the petitioner)

... Petitioners.

Versus

1 - State Of Chhattisgarh Through- The Secretary Department Of Water Resources Mantralaya Mahanadi Bhawan Atal Nagar Nawa Raipur District- Raipur Chhattisgarh

2 - Collector Balod Distt- Balod (C.G.)

3 - Land Acquisition Office Balod, District Balod C.G.

4 - Engineer In Chief Water Resources Department Mahanadi Bhawan Nawa Raipur, Atal Nagar District- Raipur Chhattisgarh

5 - Executive Engineer Water Resource Department Navagaon Balod (C.G.)

... Respondents.

(cause title downloaded from CIS Periphery)

For Petitioners	:	Mr. Khilendra Sahu, Advocate.
For Res/State	:	Mr. Saumitra Kesharwani, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

02/04/2026

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

"(a) That, this Hon'ble Court may kindly be pleased to call the entire records from the respondents.

(b) That, this Hon'ble Court may kindly be pleased to set-aside the order dated 14.11.2022.

(c) That, the respondents authorities may kindly be directed to properly evaluate the acquired land and direct the Respondent authority to provide adequate compensation to the petitioners according to the documents on reports.

(d) Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted to the petitioners, in the interest of justice."



2. Learned counsel for the petitioners submits that late Parasram, father of the petitioners was owner of land bearing Khasra No.98/1 Area 14.68 acres situated at Village Chandriban Navagaon, Tahsil Doondilhora. In the year 1977, the said land was acquired by the State Authority for construction of Jevartala Bharda Dam, for which, only compensation of Rs.55,945/- was granted to the petitioners. He further submits that on the said land there was Bawali (well), concrete drainage, concrete (Pakka) house, trees, garden etc., but while calculating compensation, cost of aforesaid items and infrastructure were not calculated, therefore, late Parasram has filed WPC No.56/2009 which was disposed of by this Court granting liberty to the petitioner to avail appropriate remedy. Thereafter, the petitioner filed representation before the Sub Divisional Officer, Doondilhora, District Durg, upon which, vide award dated 15.02.2010 passed in Land Acquisition Case No.13A-82 Year 2008-09 compensation of Rs.306860/- was granted for Bawali (well), but no compensation was granted in respect of Pakka house, concrete drain, fruit-bearing trees and garden. Hence, the petitioners filed application before the District Judge, Balod which has been registered as MJC No.20/2013, but the same was rejected directing petitioners to file an application under Section 18 of the Land Acquisition Act 1894 (Act 1984) for reference to court. Subsequently, the petitioners filed an application before the Collector Balod under Section 18 of the Act 1894 bearing Case No.201904241200003/39A-82/2017-18 to send the case before the District Judge Balod, but said application was also rejected on 14.11.2022 on the ground of limitation. Hence, counsel for the petitioners prays to admit the case for hearing.



3. Per contra, learned State counsel submits that original award was passed in the year 1977. Subsequently, supplementary award was also passed on 15.02.2010 granting compensation of Rs.306860/- in respect of Kuan (well) situated in subject land of petitioners. However, the revenue record does not show the other objects and infrastructure like house, trees, drainage etc. as alleged by the petitioners. He also submits that the petitioners have preferred reference application before the Collector belatedly after expiry of limitation period prescribed under Section 18(2)(b) of the Act 1984. Hence, this writ petition has no merit and same deserves to be dismissed.
4. Heard learned counsel for the parties and perused the documents available with the petition.
5. Undisputedly, the original award was passed in the year 1977. Subsequently, the supplementary award was passed on 15.02.2010 granting compensation in respect of कुआ (well). However, from perusal of documents filed with the instant petition, it appears that reference application was filed in the year 2022, whereas as per Section 18(2)(b) of the Act 1984 such application ought to have been filed within a period of six weeks of the receipt of notice from the Collector under Section 12, sub section (2); or, within six months from the date of Collector's award whichever period shall first expire. Hence, it is explicit that the reference application was filed by the petitioner after more than 10 years from the date of supplementary award dated 15.02.2010. As such, the application filed by the petitioners was hopelessly time barred.
6. Apart from above, the petitioners have also not filed any document in the writ petition to demonstrate that when the subject land was acquired, at that time, there was Pakka house, concrete drainage, fruit-bearing trees and



garden. If there would have been such other items and infrastructure, the petitioners may prove that fact by filing relevant documents at the time of adjudication of aforesaid Land Acquisition Case No.13A/82 Year 2008-09, upon which, supplementary award dated 15.02.2010 was passed. However, no material has been filed by the petitioners in support of such contention.

7. Having considered the aforementioned facts, the Court finds that this petition lacks merit in respect of claim of the petitioners. Furthermore, the application filed by the petitioners under the Act of 1894 was filed significantly outside the statutory limitation period, rendering it hopelessly time-barred.
8. For the foregoing, the writ petition is sans merit and is hereby dismissed in limine.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay