



2026:CGHC:12421



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1111 of 2026

1 - Pusau Singh Gaund S/o Late Manohar Gaund Aged About 58 Years R/o Sidar Para, Champa, Tahasil Champa, District Janjgir-Champa (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Public Works, Mantralay, Nava Raipur, Atal Nagar, District Raipur (C.G.)

2 - Collector Janjgir Champa District Janjgir-Champa (C.G.)

3 - Sub-Divisional Officer (Revenue) And Land Acquisition Officer Champa Tahsil Champa District Janjgir-Champa (C.G.)

4 - Sub Divisional Officer Public Works Department, Sub Division Champa District Janjgir-Champa (C.G.)

5 - Tahsildar Champa District Janjgir-Champa (C.G.)

6 - Executive Engineer Public Works Department, Sub Division Champa District Janjgir-Champa (C.G.)

... Respondents

(Cause title, as taken from CIS system)

For Petitioner	: Mr. Abhinav Tiwari, Adv. and Mr. Rakesh Kumar Sahu, Advocate
For State/Respondents	: Mr. Shreyansh Mehta, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

16/03/2026

1. This writ petition has been preferred by petitioner under Article 226 of



the Constitution of India seeking following reliefs:-

“10.1 That, the Hon’ble Court be pleased to call the entire record pertaining to the case of petitioner from the respondent authority.

10.2 That, the Hon’ble Court may kindly be pleased to issue appropriate writ directing respondent authorities for giving appropriate compensation for the acquired land of the petitioners as per guideline approved by the Central Valuation Board and conduct valuation in square meter for the mentioned land.

10.3 Any other relief or relief(s) which this Hon’ble Court may think proper in view of the facts and circumstances of the case may also kindly be granted.”

2. Learned counsel for the petitioner submits that the petitioner is the recorded owner of the land bearing Khasra No.205, area 0.0200 Hectares, situated at P.H. No.04, Jagdalla, Tehsil Champa, which is the ancestral property of the petitioner. However, the respondents, without initiating any acquisition proceedings or paying any compensation, have constructed a government building on the aforesaid land. He further submits that pursuant to an application filed by the petitioner, Revenue Case No.202309082500023/A-12 has been registered by the Tahsildar, Champa (Respondent No.5), under whose direction, Revenue Inspector (RI) submitted a report stating *inter alia* that the land claimed by the petitioner falls within the premises of the colony of the Public Works Department (for brevity “PWD”). In the said report, it was also proposed that a team consisting of revenue officers along with officers of the PWD is required to be constituted for proper verification and demarcation of the land in question. Acting upon the said report, the Upper Collector, District Janjgir-Champa, vide order dated 06.06.2025 (Annexure -P/3), constituted a team of revenue officers and



further directed them to carry out demarcation of the aforesaid land along with the officers of the PWD. However, despite the aforesaid order having been passed, the same has not been complied with till date. Hence, learned counsel prays that, at this stage, the present petition may be disposed of with a direction to respondent No.2 to comply with the order dated 06.06.2025 (Annexure -P/3) within a stipulated period. He further prays that if it is found that the said land of petitioner has been utilised by the PWD, then appropriate compensation be directed to be paid to the petitioner.

3. Learned counsel for the State/Respondents has no objection to the prayer made by learned counsel for the petitioner.
4. Heard learned counsel for the parties and perused the material available on record.
5. Though, the right to property is not a fundamental right, but it still exists as a constitutional right envisaged under Article 300A of the Constitution of India, which provides that no person shall be deprived of his property without following due process of law.
6. In the instant case, the grievance of the petitioner is that his aforesaid land has been utilised by the respondents-Department for the construction of government building. On the basis of the petitioner's application, the Upper Collector has also constituted a team of revenue officers and directed them to carry out demarcation of the said land along with officers of the PWD. The aforesaid order (Annexure -P/3) was passed on 06.06.2025, but despite the lapse of considerable time, the demarcation has not yet been carried out, as contended by learned counsel for the petitioner.
7. Having considered the limited prayer made by learned counsel for the



petitioner, the present petition is disposed of at this stage directing respondent Nos.2 and 3 to comply with the order dated 06.06.2025 (Annexure -P/3), if it has not yet been complied with, within a period of 30 days from the date of receipt/submission of a copy of this order. It is further directed that if, upon demarcation, it is found that the said land of the petitioner has been utilised for the construction of a government building or colony, then appropriate compensation shall be paid to the petitioner in accordance with law. Such exercise shall be concluded within a further period of 05 months after completion of the demarcation of the subject land.

8. With aforesaid observations and directions, this writ petition stands **disposed of**.
9. Pending interlocutory application(s), if any, also stands disposed of. No order as to cost(s).

Sd/-
(Naresh Kumar Chandravanshi)
Judge