



2026:CGHC:12458



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1125 of 2026**

Fatte Marar S/o Birichhram Marar Aged About 50 Years R/o- Village Basantpur
Tahsil Bamhanidih District Janjgir-Champa (C.G.)

... Petitioner**versus**

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

2 - State Of Chhattisgarh Through Secretary, Public Works Department, Mantralaya,
Mahanadi Bhawan, Atal Nagar, Naya Raipur, Distt. Raipur (C.G.)

3 - Collector Janjgir-Champa Distt. Janjgir-Champa (C.G.)

4 - Sub Divisional Officer (R)/ Land Acquisition Officer Champa, Janjgir-Champa
(C.G.)

5 - Executive Engineer Public Works Department, Division Champa, Distt.- Janjgir-
Champa (C.G.)

... Respondents

For Petitioner : Mr. FS Khare, Advocate

For Respondents/State : Mr. Shreyansh Mehta, Panel Lawyer

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****16.3.2026**

1. By way of filing this writ petition under Article 226 of the Constitution of India, the petitioner seeks issuance of a direction to respondent Nos.1 to 5 to decide the representation dated 05.12.2025 (Annexure-P/2) filed by the petitioner.



2. Learned counsel for the petitioner submits that the petitioner is a recorded owner of land bearing Khasra No.411/18 area 0.40 acre situated at village Basantpur, PHN-12, RNM Birra Tahsil Bamhanidih, Distt. Janjgir-Champa (CG). He further submits that vide award dated 25.01.2017, land of the other villagers of the village Basantpur were acquired for construction of Basantpur- Parsada-Ghoghari Road and compensation has also been paid to them. He further submits that for the construction of aforesaid road, land of the petitioner has also been utilized, however, it has not been mentioned in the award. Therefore, the petitioner has filed application dated 05.12.2025 (Annexure-P/2) before Collector, Janjgir Champa, but the same has not been decided yet. Hence, it is prayed that respondent No.3/Collector may be directed to decide the application of the petitioner within stipulated period.

3. In reply, learned counsel for the State submits that if the award was passed in the year 2017, then the petitioner ought to have filed application at the earliest, but he filed the application after about 6-7 years from the date of the award. However, he submits that appropriate order shall be passed on the application (Annexure-P/2) filed by the petitioner.

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

5. Though property right is not a fundamental right, but it is still a constitutional right under Article 300A of the Constitution of India. Therefore, no person shall be deprived of his property without following due process of law and without providing compensation, rehabilitation etc. If the petitioner's land has been utilized for construction of the aforesaid road, then he is entitled to get compensation. Therefore, having considered the limited prayer of the petitioner, this petition is disposed of at this stage, directing respondent No.3 to decide the application dated 05.12.2025 (Annexure-P/2) filed by the



petitioner expeditiously, preferably within a period of 30 days from the date of receipt of a copy of this order, after getting the land in question duly demarcated. If, upon demarcation, it is found that the land of the petitioner has been utilized for the construction of the Basantpur–Parsada–Ghoghari Road, the petitioner shall be entitled to appropriate compensation and other consequential benefits in accordance with law, which shall be provided after following due process of law within a further period of six months from the date of such demarcation.

6. With aforesaid observation and direction, this petition stands disposed of.

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

Sd/-
(Naresh Kumar Chandravanshi)
Judge