



2026:CGHC:12899



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1163 of 2026

1 - Nagmathiya Marar S/o Late Boula Marar Aged About 81 Years R/o Village Basantpur, Tahsil Bamhanidih, Distt. Janjgir Champa, Chhattisgarh.

... Petitioner

versus

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

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

3 - Collector Janjgir Champa, Distt. Janjgir Champa, Chhattisgarh.

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

5 - Executive Engineer Public Works Department, Division Champa, Distt. Janjgir Champa, Chhattisgarh.

... Respondents

(Cause title taken from Case Information System)

For Petitioner	:	Ms. Mamta Mahilange, Advocate
For Respondents/State	:	Mr. Anadi Sharma, Panel Lawyer

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

18/03/2026

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.406/2, area 0.23 acre situated at village Basantpur, P.H.N.-12, R.N.M. Birra, Tahsil Bamhanidih, Distt. Janjgir-Champa (CG). She 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. She 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 submitted representation 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 representation of the petitioner within a 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 representation at the earliest, but he filed the representation after about 6-7 years from the date of the award. However, he submits that appropriate order shall be passed on the representation (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 representation 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 writ petition stands disposed of.

7. Pending interlocutory application(s), if any, also stands disposed of. No order as to cost(s).

Sd/-
(Naresh Kumar Chandravanshi)
Judge