



2026:CGHC:12581



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1161 of 2026

1 - Vishal Khandelwal S/o Omprakash Khandelwal Aged About 35 Years R/o Satkar Hoteli Gali, Station Road, Narmadapara, Raman Mandir, Ward No. 14, Raipur, District Raipur Chhattisgarh

2 - Smt. Juhi Khandelwal W/o Vishal Khandelwal Aged About 36 Years R/o Satkar Hoteli Gali, Station Road, Narmadapara, Raman Mandir, Ward No. 14, Raipur, District Raipur Chhattisgarh

... Petitioners

versus

1 - State Of Chhattisgarh Through Secretary, Urban Administration And Development Department Of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

2 - State Of Chhattisgarh Through Secretary, Housing And Environment Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh

3 - Collector, Raipur District Raipur Chhattisgarh

4 - Commissioner Municipal Corporation, Raipur, District Raipur Chhattisgarh

5 - Joint Director Town And Country Planning, R D A Building, Shastri Chowk, Raipur, District Raipur Chhattisgarh

6 - Zone Commissioner Zone-2, Municipal Corporation, Near Shahid Smarak School, Raipur, District Raipur Chhattisgarh

... Respondent

{Cause title, as taken from CIS}



For Petitioners : Mr. Kishore Bhaduri, Senior Advocate assisted
by Mr. Vaibhav P. Shukla and Mr. Ashutosh
Pandey, Advocate.

For Resp. No. 1,2,3 and 5 : Mr. Shobhit Mishra, Dy. Govt. Advocate.

For Resp. No. 4 & 6 : Mr. Pankaj Agrawal, Advocate.

For Intervenor : Mr. Raghvendra Pradhan, Advocate.

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

16/03/2026

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

“10.1 That, the Hon'ble Court may kindly be pleased to direct the Respondent State authorities to decide the appeal filed by the Petitioners under Section 9(3) of Chhattisgarh Anadhikrit Vikas Ka Niyamatikaran Adhiniyam, 2002 pending adjudication before State Government.

10.2 That the Hon'ble Court may kindly be pleased to set aside and quash impugned notices dated 18/10/2021, 11/11/2021, 07/02/2022, 20/03/2023, 17/05/2024, 24/05/2024 and 10/11/2025 (Annexures P-1, 3 and 7) issued by Municipal Corporation, Raipur.

10.3 That the Hon'ble Court may kindly be pleased to direct the Respondent authorities to stop demolishing construction of the Petitioners till the final outcome of the appeal pending adjudication before State Government under section 9(3) of the Chhattisgarh Anadhikrit Vikas Ka Niyamatikaran Adhiniyam, 2002.

10.4 Any other relief as deemed fit by this Hon'ble Court may also be granted in favour of the petitioner.



2. Learned Senior counsel appearing for the petitioners submits that the petitioners are the registered owner of the land bearing Khasra No. 497/2, total area 4326 sq.ft. situated at Satkar Gali, Station Road, Naramada Para, Raman Mandir, Ward No. 14, Raipur (C.G.) (for brevity, "subject land"). He further submits that after taking building permission for residential use on the subject land, the petitioner constructed building including dormitory on it, therefore, respondents No. 4 & 6 /Municipal Corporation issued various notices to the petitioners on the ground that instead of residential house, they have constructed commercial building in a residential area. Thereafter, petitioners filed an application (Annexure P-5) before District Regularization Authority for regularization of alleged unauthorized construction, which was rejected by the said Authority vide order dated 25.07.2024 (Annexure P-6), against which, an appeal was preferred by them before the Divisional Commissioner, (Revenue), Raipur, which has also been rejected vide order dated 14.11.2025 (Annexure P-13). It is next contended that order of rejection by the Commissioner, (Revenue), Raipur has been challenged by filing appeal before respondent No. 2/State Authority, which is pending consideration, hence, learned Senior Counsel for the petitioner submits that, at this stage, this petition may be disposed of directing respondent No. 2, to decide the said appeal within a specific time frame. Till then, respondents may be directed not to take any coercive steps against the petitioners in respect of the alleged unauthorized construction.

3. Learned counsel for the respondents have no objection to allow the limited prayer made by counsel for the petitioner.

4. Having considered the limited prayer of the petitioners, at this stage, this petition stands disposed of directing respondent No. 2 to decide the appeal (Annexure P-16) filed by the petitioners under Section 9(3) of the Chhattisgarh Anadhikrit Vikas Ka Niyamatikaran Adhiniyam, 2002 as early as possible, preferably within a period of 60 days from the date of receipt/ submission of copy of this order in accordance with law. Till then, respondents are directed not to take any



coercive steps against the petitioners in respect of alleged unauthorized construction.

5. With the aforesaid observations & directions, the writ petition stands disposed of. No cost (s).

6. Pending interlocutory application (s), if any, stand (s) disposed of.

7. It is made clear that this Court has not expressed any opinion on the merits of the case.

Sd/-
(Naresh Kumar Chandravanshi)
Judge