



2026:CGHC:13294



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1208 of 2026

Pingla Wd/o Late Shyamsunder Aged About 74 Years R/o Village Chhuchhubhata,
Tahsil Dabhra District Sakti Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through Secretary Department Of Water Resources
Mantralaya Mahanadi Bhawan Atal Nagar, Naya Raipur Chhattisgarh

2 - Collector Sakti, District Sakti Chhattisgarh

3 - Sub Divisional Officer Revenue Cum Land Acquisition Officer Dabhara District
Sakti Chhattisgarh

4 - Executive Engineer Wrd, Bango Canal Division No. 5 Kharsiya District Raigarh
Chhattisgarh

... Respondents

{Cause title, as taken from CIS}

For Petitioner	:	Mr. Pranjal Agrawal, Advocate.
For Resp. Nos. 1 to 3	:	Mr. Anadi Sharma, Panel Lawyer

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

19/03/2026

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

"10.1 That this Hon'ble court kindly be pleased to direct the respondents for conducting spot inspection of the land of the petitioner and once it is found that land of the petitioner



has been utilized for construction of canal then they may be directed to pay compensation with all statutory benefits like interest and additional amount Under Section 80 and 30 (3) of The Right to fair Compensation and transparency in land acquisition, rehabilitation and resettlement Act, 2013 within time frame of 30 days in the interest of justice.

10.2 That this Hon'ble Court kindly be pleased to direct the respondents authorities for deciding the representation of the petitioner.

10.3 That, this Hon'ble Court may kindly direct the respondents for initiation of acquisition proceeding under the provision of Act 2013.

10.4 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioner.

2. Learned counsel appearing for the petitioner submits that the petitioner is recorded owner and occupant of land bearing Khasra No. 148/5, area 2.51 hectare situated at village Chhuchubhata, Tahsil-Dabhra, District – Sakti (C.G.). He further submits that some portion of aforesaid land has been utilized for construction of 'bango canal' without following due process of law and without paying any compensation. He further submits that the petitioner has filed an application (Annexure P-2) before Land Acquisition Officer / Sub Divisional Officer (Revenue), Tahsil Dabhra, District Shakti (C.G.) to enquire into the matter, but the same has not been decided yet. He further contends that the petitioner is ready to file fresh application / representation before respondents No. 2 & 3 and they be directed to decide the same within stipulated period.

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

4. Though right to property is not a fundamental right, but still it is a constitution right under Article 300A of the Constitution of India, as such, no person can be deprived of his property without due process of law and without payment of



compensation and other applicable benefits. If petitioner's land has been utilized for construction of 'bango canal', then, due process of law is required to be followed.

5. Having considered the limited prayer of counsel for the petitioner, this writ petition is disposed of granted liberty in favour of petitioner to file fresh application / representation before respondents No. 2 & 3. In the eventuality of filing such application/representation, they are directed to decide the same expeditiously preferably within a period of six months from the date of filing of the application by the petitioner. It is observed that if, in demarcation, it is found that some portion of petitioner's land has been utilized for construction of 'bango canal', then appropriate proceeding for grant of compensation to the petitioner be drawn and compensation be paid to the petitioner in accordance with law.

6. With the aforesaid observation & direction, the writ petition is disposed of.

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

Sd/-

(Naresh Kumar Chandravanshi)
Judge