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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1397 of 2026

1 - Pradeep Shukla S/o Late Bhawani Shankar Shukla Aged About 63 Years R/o Village And Post- Kunra, Tahsil And Police Station- Nandghat District- Bemetara (Chhattisgarh)

2 - Satish Singh Markandey S/o Madan Singh Markandey, Aged About 40 Years R/o Village And Post- Kunra, Tahsil And Police Station- Nandghat District- Bemetara (Chhattisgarh)

... Petitioners

versus

1 - State Of Chhattisgarh Through Its Secretary, Department Of Environment, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur (Chhattisgarh)

2 - Collector, Bemetara, District Bemetara, (Chhattisgarh)

3 - Sub Divisional Officer (Revenue), Nawagarh, District- Bemetara, (Chhattisgarh)

4 - Tahsildar, Nandghat, District Bemetara (Chhattisgarh)

5 - Shiv Kumar Nishad S/o Shri Itwari Nishad, Aged About 46 Years R/o Ward No. 06, Village- Akoli, Tahsil- Nawagarh, District- Bemetara (Chhattisgarh)

6 - Sunderlal Prajapati S/o Shri Laxman Prajapati, Aged About 39 Years R/o Village- Karamsen, Tahsil- Nawagarh, District- Bemetara (Chhattisgarh)

7 - Union Of India Through Its Secretary, Ministry Of Environment, Forest And Climate Change, Indira Paryavaran Bhawan Jorbagh Road, New Delhi- 11003

... Respondents

{Cause title, as taken from CIS}

For Petitioner	: Mr. Vaibhav A. Goverdhan, Advocate.
For Respondents No. 1 to 4	: Mr. Vinay Pandey, Dy. Advocate General
For Respondent No. 7	: Mr. Rishabh Dev Singh, Advocate on behalf of Mr. Ramakat Mishra, DSGI



{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

30/03/2026

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 issue a writ/writs in the nature of mandamus directing the Respondent authorities to immediately stop the illegal filling of the pond by the respondent no. 5 & 6, situated at Kh. No. 140, PHN 08, Village- Kunra, Tahsil – Nandghat/Nawagarh, District – Bemetara (C.G.)

10.2 That, the Hon'ble Court may kindly be pleased to issue a writ/writs, order/orders and direct the Respondent No. 2 (Collector) to take appropriate action against the private respondents no. 5 & 6 for illegally altering the nature and use of water body.

10.3 That, the Hon'ble Court may kindly be pleased to issue a writ/writ, order/orders and the respondent authorities may kindly be directed to restoration of the above-mentioned pond (water body) to its original condition.

10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief (s), which is deemed fit and proper in the aforesaid facts and circumstances of the case.

2. Learned counsel appearing for the petitioners submits that private respondents No.5 & 6 are filling the natural pond situated on Khasra No. 140, admeasuring 1.14 hectare and Khasra No. 139, area 0.41 hectare of village Kunra, Tahsil Nandghat / Navagarh, District Bemetara (C.G.) whereas the said pond was being used by local inhabitants since 50 -60 years as Nistari purpose. He further submits that if the nature of the pond changes, it will not only affect the routine life of the villagers/inhabitants, rather it will also detrimental for environmental degradation. He further submits that thought



aforesaid land / pond has been purchased by respondents No. 5 & 6 though registered sale deed from one Rakesh Kumar, but without due permission, they cannot change the nature / use of pond. It is next contended that the petitioners filed application (Annexure P-4) dated 11.03.2026 before District Collector, Bemetra. Hence, he prays that this petition may be disposed of directing Collector, Bemetra / respondent No. 2 to decide application (Annexure P-4) expeditiously.

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

4. Heard counsel for the parties and perused the material available on record.

5. Having considered the limited prayer made by the petitioners, without entering into the merits of the case, this petition is disposed of directing respondent No. 2/ Collector, Bemetara to decide the application (Annexure P-4) dated 11.03.2026 filed by petitioner as early as possible preferably within a period of 30 days from the date of receipt / submission of copy of this order.

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

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

Sd/-

(Naresh Kumar Chandravanshi)

Judge



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