



2026:CGHC:14987



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1419 of 2026**

- 1** - Santkumar Gavel S/o Late Shri Neelkanth Gavel Aged About 65 Years R/o Village And Post Suloni, Police Station Malkharoda, Tahsil Adbhar District- Sakti (C.G.)
- 2** - Veersingh Gavel S/o Late Shri Dharmi Prasad Gavel Aged About 57 Years R/o Village And Post Suloni, Police Station Malkharoda Tahsil Adbhar District- Sakti (C.G.)
- 3** - Amar Singh Gavel S/o Late Shri Hari Prasad Gavel Aged About 90 Years R/o Village And Post Suloni, Police Station Malkharoda, Tahsil Adbhar District- Sakti (C.G.)
- 4** - Dharamlal Gavel S/o Late Shri Buddhuram Gavel Aged About 72 Years R/o Village And Post Suloni, Police Station Malkharoda Tahsil Adbhar District- Sakti (C.G.)

... Petitioners**versus**

- 1** - State Of Chhattisgarh Through The Secretary Public Works Department Government Of Chhattisgarh Mahanadi Bhawan Atal Nagar Naya Raipur, District- Raipur (C.G.)
- 2** - Collector Sakti District- Sakti (C.G.)
- 3** - Sub Division Officer (Revenue) Malkharoda District- Sakti (C.G.)
- 4** - Executive Engineer Public Works Department Champa Division Champa District- Janjgir-Champa (C.G.)
- 5** - Sub Division Officer Public Works Department Sakti, District- Sakti (C.G.)
- 6** - Tahsildar Tahsil - Adabhar, District- Sakti (C.G.)

... Respondents

For Petitioners	:	Mr. Ramesh Nayak, Advocate
For Respondents/State	:	Mr. Soumitra Kesharwani, Panel Lawyer



(Hon'ble Shri Justice Naresh Kumar Chandravanshi)
Order on Board
01.4.2026

1. The petitioners have preferred this writ petition under Article 226 of the Constitution of India, seeking following relief(s):-

10.1. That, the Hon'ble High Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner for its kind perusal.

10.2. That, the Hon'ble High Court may kindly be pleased to direct the respondent authorities to provide the compensation to the petitioners under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

10.3 That, the Hon'ble High Court may kindly be pleased to stay the construction of road over the petitioners land without providing them compensation under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.

10.4 That, any other relief, this Hon'ble Court deem fit and proper may also be granted to the petitioner, in the interest of justice.

2. Learned counsel appearing for the petitioners submits that the petitioners are recorded owners of the land bearing Khasra numbers as mentioned in para 8.4 of the petition. Learned counsel further submits that some portion of the aforesaid land of the petitioners have been affected due to widening of Sakarra-Bhothiya road. The construction of aforesaid road is going on, however, no due process of law has been initiated by the respondent authorities for acquisition of the land of the petitioners. He further submits that the petitioners have filed application dated 22.01.2026 (Annexure-P/3) before Collector, Distt. Sakti (CG), but no action has been taken yet. Hence, it is prayed that this petition may be disposed of at this stage, directing respondent No.2/Collector, Distt. Sakti to decide the



application dated 22.01.2026 (Annexure- P/3) filed by the petitioners, within stipulated period.

3. Learned counsel for the State has no objection if the above prayer of the petitioner is allowed.

4. 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 persons shall be deprived of his property without following due process of law and without providing compensation, rehabilitation etc.

6. In the instant petition, the grievance of the petitioners is that their land has been utilized for widening of Sakarra-Bhothiya road without due acquisition of the same and without providing compensation. Therefore, having considered the limited grievance of the petitioners, this petition is disposed of at this stage, directing respondent No.2/Collector, Distt. Sakti to consider and decide the application dated 22.01.2026 (Annexure-P/3) filed by the petitioners expeditiously, after getting demarcation of the land of the petitioners. After demarcation, if it is found that their land has been utilized for widening of Sakarra-Bhothiya road, then appropriate compensation and other benefits to be given to them in accordance with applicable law. The aforesaid exercise shall be completed within a period of 90 days from the date of receipt of a copy of this order.

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

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

Sd/-
(Naresh Kumar Chandravanshi)
Judge