



2025:CGHC:39449

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1788 of 2020

* - Ram Kumar Kumhar S/o Late Vishambhar Kumhar Aged About 70 Years
R/o Post Gorkha, Ward No. 43, Tahsil And District Raigarh, Chhattisgarh

... **Petitioner**

Versus

1 - State Of Chhattisgarh Through The Secretary, Revenue Department,
Mahanadi Bhawan, Mantralaya, New Raipur, District : Raipur, Chhattisgarh

2 - The Collector Raigarh, District : Raigarh, Chhattisgarh

3 - Municipal Corporation Raigarh Through Its Commissioner, Municipal
Corporation Raigarh Tahsil And District Raigarh, Chhattisgarh

4 - The Sub Divisional Officer Raigarh, District : Raigarh, Chhattisgarh

5 - The Superintendent Of Police Raigarh, District : Raigarh, Chhattisgarh

... **Respondents**

For Petitioner	:	Mr. Sanjay Patel, Advocate
For Respondents No. 1, 2, 4 & 5	:	Mr. Sanjeev Agrawal, Panel Lawyer
For Respondent No. 3	:	Dr. Sudeep Agrawal, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey
Order on Board

07/08/2025

1. The petitioner has filed this petition seeking the following relief(s):-

10.1 That this Hon'ble Court may kindly be pleased to issue an appropriate writ and direct the respondents to not to demolished, the boundary wall, shop of the petitioner without following the due process of law or without acquiring the land of the petitioner under the "*Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013*" in the interest of justice.

10.2 This Hon'ble Court may kindly be pleased to issue an appropriate writ and direct the respondents to abstain from constructing any building or road, any other structure on the questioned land as well as on the vacant land of about 10 to 12 feet existing between the questioned land and main road, in the interest of justice.

10.3 This Hon'ble Court may further be pleased to issue appropriate writ to the respondents and direct to pay compensation regarding the illegal demolition of boundary



wall and gate of the disputed land of petitioner, in the interest of justice.

10.4 This Hon'ble Court may further be pleased to pass an appropriate order or issue writ as deemed fit under the facts and circumstances of the case.

2. Mr. Sanjay Patel, learned counsel appearing for the petitioner would submit that without issuance of any notice and without affording any opportunity of hearing, the wall of the petitioner constructed over Survey Nos. 107/1 and 107/3 admeasuring 0.069 and 0.032 hectares situated village Gorkha, Gram Panchayat Saraipali, Tahsil and District Raigarh was demolished by respondent No. 3. He would contend that the action of respondent No. 3 was illegal, arbitrary and malafide.
3. On the other hand, Dr. Sudeep Agrawal, learned counsel appearing for respondent No. 3 would submit that any action against the petitioner would be taken by respondent No. 3 strictly in accordance with law after affording due opportunity of hearing to the petitioner.
4. Heard learned counsel for the parties.
5. Taking into consideration the submission made by Dr. Sudeep Agrawal, this petition, at this juncture, is disposed of. Respondent No. 3 shall take any action for demolition of any part of the property belonging to the petitioner strictly in accordance with law after affording due opportunity of hearing to the petitioner.
6. With the aforesaid direction(s), the petition is **disposed of** at admission stage.
7. Interim order granted on 17.08.2020 is hereby vacated.

Sd/-
(Rakesh Mohan Pandey)
Judge