



2026:CGHC:21548

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2297 of 2026**

Ananda Chandel S/o Firan Chandel Aged About 61 Years (Wrongly Mentioned In The Impugned Order As Smt. Ananda Chandel, Whereas He Is A Male) R/o Ward No. 14, Rahoud, Nagar Panchayat Rahoud, Police Station Shivrinarayan, District Janjgir-Champa (C.G.)

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar Naya Raipur, District Raipur (C.G.)

2 - Commissioner Department Of Urban Administration And Development, Indrawati Bhawan, Atal Nagar Naya Raipur, District Raipur (C.G.)

3 - Collector District Janjgir-Champa (C.G.)

4 - Chief Municipal Officer Nagar Panchayat Rahoud, District Janjgir-Champa (C.G.)

5 - Chief Executive Officer (R) Pamgarh, District Janjgir-Champa (C.G.)

... Respondent(s)

For Petitioner(s) : Mr. Rupendra Kumar Dewangan, Advocate

For Respondent(s) : Ms. Anusha Naik, Dy. G.A.



Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

08/05/2026

1. The petitioner has filed this writ petition praying for the following reliefs:

10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records in relation to the case of the petitioner from the possession of respondents for its kind perusal.

10.2 That, this Hon'ble Court may kindly be pleased to set aside the impugned notice dated 05.01.2026 (Annexure P/1) issued by the respondent no. 4 i.e. Chief Municipal Officer, Nagar Panchayat Rahoud, District-Janjgir-Champa (C.G.) and further be pleased to direct the respondents to allow the petitioner to remain continue there without there being any interruption.

10.3 That, this Hon'ble Court may kindly further be please to pass an order directing to the respondents to give just and proper compensation to the petitioner due to the loss accrued in respect of the alleged impugned action.

10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief/s in favour of the petitioner, which the Hon'ble Court deemed fit and just in the facts and circumstances of the case, including awarding of the costs to the petitioner.



2. Learned counsel for the petitioner submits that notice dated 05.01.2026 was issued to the petitioner for removal of the alleged encroachment; however, no action was taken pursuant thereto since January, 2026, and therefore, the petitioner was under the impression that no further proceedings would be initiated against him. It is further submitted that the respondents are now acting upon the said notice dated 05.01.2026 and have orally directed the petitioner to remove the alleged encroachment, failing which removal proceedings shall be undertaken and the petitioner shall be dispossessed from the subject property. It is also contended that the petitioner has been regularly paying property tax to the Nagar Panchayat, Rahoud, District Janjgir-Champa, and therefore, the said aspect deserves due consideration by the respondent authorities.
3. Per contra, learned State counsel opposes the submissions advanced on behalf of the petitioner and submits that mere inaction on the part of the authorities for a certain period does not confer any legal right, title, or interest upon the petitioner over the land in question. It is contended that the notice dated 05.01.2026 was duly issued to the petitioner for removal of encroachment and the petitioner was fully aware of the proceedings initiated against him.
4. I have heard learned counsel for the respective parties and perused the record.



2026:CGHC:21548

5. Considering the aforesaid submissions and the facts of the case, the petitioner is directed to file an appropriate application/representation before the concerned authorities within a period of 15 days from today. Upon such application being filed, the authorities concerned shall consider and decide the same strictly in accordance with law by passing a reasoned order within a further period of 45 days thereafter.
6. Till the decision of the said application/representation, the respondent authorities are directed not to take any coercive steps against the petitioner in relation to the subject property.

Sd/-

(Amitendra Kishore Prasad)

JUDGE

Madhurima