



2026:CGHC:16606



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2030 of 2020**

1 - Chatur Singh S/o Late Shobhi Ram Aged About 70 Years
Agriculturist, R/o Village - Gidhori, Tehsil - Kartala, Post - Dadarkala,
Dist. Korba

2 - Chopda Singh, S/o Shri Chatur Singh, Aged About 40 Years
Agriculturist, R/o Village - Gidhori, Tehsil - Kartala, Post Dadarkala, Dist.
Korba

3 - Ramesh Kumar S/o Shri Chatur Singh Aged About 42 Years
Agriculturist, R/o Village - Gidhori, Tehsil - Kartala, Post Dadarkala, Dist.
Korba

... Petitioners**versus**

1 - State of Chhattisgarh Through Secretary, Department of Animal
Husbandry And Dairying, Atal Nagar, Naya Raipur (Chhattisgarh)

2 - The Collector, Korba, Dist. Korba (Chhattisgarh)

3 - The Chief Executive Officer, Janpad Panchayat, Kartala, Dist. Korba
(Chhattisgarh)

4 - The Sarpanch, Gram Panchayat, Gidhori, Dist. Korba (Chhattisgarh)

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. B.P. Rao, Advocate on behalf of Mr. Uttam Pandey, Advocate
For State/Respondents No.1 and 2	:	Mr. Dilman Rati Minj, Deputy Advocate General
For Respondents No.3 and 4	:	Ms. Zainab Vanak, Advocate on behalf of Mateen Siddiqui, Advocate



Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

10.04.2026

- 1** The petitioners have filed this writ petition with the following relief(s):-

“10.1 That, the Hon'ble Court be pleased to summon the entire record pertaining to this case from the concerned office and to decide the grievance of the Petitioner in the interest of justice.

10.2 That, the Hon'ble Court be pleased to pass an Order, directing the Respondents to immediately stop the construction of Cow Shelter /Gothan on the Khasara No. 1140 of PH No. 21 of Village Gidhori in Kartala Tehsil of Korba District, where the Petitioners are living and cultivating since past 6-7 decades.

10.3 That, the Hon'ble Court be pleased to pass another order, directing the Respondents to remove all the so far work done in respect to construction of Cow Shed/Gothan on the said land situated in Khasara No. 1140 of PH No. 21 of Village Gidhori in Kartala Tehsil of Korba District.

10.4 That, any other relief if deem fit, proper and appropriate may also be passed in the interest of justice.”

- 2** Learned counsel for the petitioners submits that the petitioners and their forefathers have been in continuous, peaceful and



uninterrupted occupation of the subject land bearing Khasra No. 1140, admeasuring 8.694 hectares, situated in Village Gidhori, P.H. No. 21, Tehsil Kartala, District Korba, for the last 6–7 decades. It is contended that although the land is recorded as Government waste land, the same has long been under the possession and use of the petitioners, who have been cultivating paddy crops thereon and have also constructed residential houses, thereby establishing settled possession over the said land. It is further submitted that under the State Government's scheme namely Narwa, Garuwa, Ghuruwa & Badi, particularly under the component "Garuwa", a proposal was made to construct Gothan/Cow Shelters in villages by utilizing excess and undisputed land available with the Gram Panchayat. However, in the present case, the respondent No. 3 – Sarpanch of Gram Panchayat, without properly verifying the factual possession and nature of the land, has erroneously identified the subject land, which is neither vacant nor undisputed, but is in actual possession of the petitioners.

- 3** Learned counsel submits that acting upon such recommendation, the respondents have commenced construction activities over the said land, including fencing and dumping of construction materials, thereby interfering with the peaceful possession of the petitioners. It is contended that such action is arbitrary, illegal and in violation of the petitioners' rights, particularly when the land in



question is under cultivation and the standing paddy crop is likely to be adversely affected. It is also submitted that immediately upon gaining knowledge of the said activities, petitioner No. 1 submitted representations dated 13.08.2020 and 17.08.2020 before the competent authorities, requesting them to restrain from proceeding with the construction of the Gothan/Cow Shelter on the said land. However, despite such representations, no action has been taken by the authorities and the construction work is being continued, compelling the petitioners to approach this Court seeking appropriate relief.

- 4** On the other hand, learned State counsel submits that the Gothan Scheme, which was introduced during the tenure of the previous Government, has now been discontinued. It is, therefore, contended that no further construction activity is being carried out pursuant to the said scheme and the very basis of the grievance raised in the present petition no longer survives.
- 5** Considering the submissions advanced by learned counsel for the petitioners, and in view of the stand taken by the State that the scheme in question has already been discontinued, this Court is of the opinion that the cause of action, as projected in the present petition, does not subsist any further. Consequently, the instant petition has been rendered infructuous.
- 6** Accordingly, the petition stands disposed of as having become infructuous. However, it is made clear that if any surviving



grievance still remains, the petitioners shall be at liberty to avail appropriate remedy in accordance with law.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh