



2026:CGHC:23583



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2795 of 2026

1 - Markande Mahadev Seva Sehkari Samiti Saddu Raipur Chhattisgarh Through Its President Chandra Shekhar Yadav S/o Hira Singh Yadav, Aged About 48 Years, R/o Adarsh Nagar, Mowa, Raipur (Registered Society Under The Chhattisgarh. Society Registration Act, 1973 Chhattisgarh.

2 - Chandra Shekhar Yadav S/o Hira Singh Yadav Aged About 48 Years R/o Adarsh Nagar, Mowa Raipur Chhattisgarh.

... **Petitioner(s)**

versus

1 - State Of Chhattisgarh Through Secretary, Revenue Department, Atal Nagar, Nava Raipur, District- Raipur Chhattisgarh.

2 - Commissioner Revenue District- Raipur, Chhattisgarh.

3 - Additional Collector Revenue, Raipur Chhattisgarh.

4 - Tehsildar Revenue, Raipur Chhattisgarh.

5 - Savitri Dhiwar (Counsellor, Gandhi Ward No. 8 Municipal Corporation, Raipur Chhattisgarh.

... **Respondent(s)**

For Petitioner(s) : Mr. Shubham Tripathi, Advocate.

For Respondents/State : Mr. Gary Mukhopadhyay, Addl. Advocate General.

SB: Hon'ble Shri Justice Amitendra Kishore Prasad

Order On Board

04/06/2026

1) Heard.



- 2) By way of this petition, the Petitioners have prayed for the following relief(s) :-

“10.1 The Hon'ble Court may kindly be pleased to allow the Petition and set aside the impugned notice/memo dated 11.05.2026 (ANNEXURE P/1) passed by the Respondent No. 4, in order dated 14.05.2026 passed by Respondent No. 3 (Annexure P/2) and order dt. 19.05.2026 passed by Respondent No. 2 (Annexure P/3), may kindly be quashed and direct the respondent 3 & 4 to first decide the application for allotment of land which is pending for consideration since 2012.

10.2 That, the Hon'ble Court may kindly be pleased to grant any other relief, as if may deem fit and appropriate.”

- 3) Counsel for the petitioners submits that vide notice dated 11/05/2026 the petitioners were directed to remove the illegal encroachment made by them on the government land bearing Khasra No.8/2 at village Saddu, Raipur under Patwari Halka No.109/44, situated at Mahatama Gandhi Ward No.1, Nagar Palika Nigam Raipur. The petitioners have already approached before the concerned Collector against the aforesaid notice, in which, the concerned Collector has already dismissed the stay application and taking benefit of the same, the respondent authorities have demolished some portion of the house in question and some portion of the illegal encroachment is still standing upon the land in question, as such, necessary orders may be passed, so that the matter may be adjudicated before the concerned Collector.



- 4) On the other hand, learned Counsel for the State submits that partial illegal encroachment has already been removed on 17/05/2026 and the petitioners have sought time to remove the entire encroachment.
- 5) I have heard, counsel for the parties and perused the record.
- 6) Considering the aforesaid facts and circumstances of the case, particularly considering the fact that the petitioners have already approached before the concerned Collector, while filing a revision against the order dated 11/05/2026 and the matter is pending for adjudication, though the application for grant of stay has already been rejected, I am inclined to dispose of the present writ petition with a direction to the petitioners as well as the respondent authorities to get the matter adjudicated by the Collector. Till then no coercive steps shall be taken against the petitioners.
- 7) It is made clear that this Court has not expressed any opinion on the merits of the case, as the matter is pending for consideration before the concerned Collector under the revisional jurisdiction.
- 8) With this observations and directions, the petition stands disposed of.
- 9) In view of above, pending interlocutory applications, if any, shall also stand disposed of.

Sd/-
(Amitendra Kishore Prasad)
Judge