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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 6495 of 2025

Ramkumar Dhurve S/o Dongar Singh Dhurve, Aged About 33 Years R/o
Village- Bakela, P.O. Kukdur, Block Pandariya, Distt. Kabirdham (C.G.)

... **Petitioner**

versus

1 - State Of Chhattisgarh Through Chief Secretary, Mantralaya, Naya Raipur, District Raipur (C.G.)

2 - Secretary, Water Resource Department, Mantralaya, Naya Raipur, District Raipur (C.G.)

3 - Secretary, Department Of Revenue And Disaster Management, Mantralaya, Naya Raipur, District Raipur (C.G.)

4 - Collector, Kabirdham, District Kabirdham (C.G.)

5 - SDO, Water Resource Department, Pandariya, District Kabirdham (C.G.)

6 - Sub Divisional Officer (Revenue) Pandariya, District Kabirdham (C.G.)

... **Respondents**

(Cause-title taken from Case Information System)

For Petitioner	:	Ms. Rajni Soren, Advocate
For State	:	Mr. Amit Nayak, Panel Lawyer

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

20.07.2026

1. By filing the present writ petition under Article 226 of the Constitution of India, the petitioner has prayed for following relief(s) :-

“(i) Issue a writ of mandamus directing the respondents to construct an underground canal below the petitioner's land and thereafter flatten the land so as to not disturb the petitioner's possession over Khasra no 140/2, area 0.4050 hectare, Patwari Halka No. 00009, Village Bakela, RI Pandariya, Tehsil Pndariya, Distt. Kabirdham (C.G.).

“(ii) Pass any other order the Hon'ble Court may deem fit in the interest of justice.”

2. Learned counsel for the petitioner submits that the present petition has been instituted seeking a direction to the respondent authorities to construct the proposed Half River Canal through an underground pipeline beneath the petitioner's land instead of constructing an open canal. It is further submitted that the respondent authorities had initially assured the petitioner and other affected landowners that the canal would be laid

underground and, on such assurance, they consented to the project. However, after commencement of excavation work, the authorities changed the original plan and decided to construct an open canal, which would seriously affect the petitioner's agricultural land. Learned counsel further submits that the petitioner has already submitted representations before the competent authorities requesting them to retain the original proposal of an underground canal, but the same have not yet been considered. The petitioner would be satisfied if an appropriate direction is issued to the competent authorities to expeditiously consider and decide his pending representations in accordance with law.

3. Learned State counsel submits that the respondent authorities shall consider the petitioner's representations in accordance with law and has no objection if an appropriate direction is issued for expeditious consideration of the same.
4. I have heard learned counsel for the parties and perused the documents available on record.
5. Considering the facts and circumstances of the case, this Court is of the considered opinion that the present petition deserves to be disposed of with a direction to the respondent authorities to consider and decide the petitioner's representations dated 02.12.2025 and the subsequent representations submitted before the competent authorities, by passing a reasoned and speaking

order, strictly in accordance with law. The competent authority shall afford an opportunity of hearing to the petitioner before passing the final order. The entire exercise shall be completed as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a certified copy of this order.

6. Accordingly, this petition is disposed of with the aforesaid observations and directions.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh