



CGHC010023532024



2026:CGHC:37668

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 509 of 2024

- 1** - Smt. Uma Devi Yadav Wd/o Late Shri Jhamlal Aged About 63 Years
R/o Rampur, Patharripa, Balko Road Plot No. 785, Police Station -
Civil Lines, Korba, District Korba (C.G.)
- 2** - Vidhbbhushan Yadav S/o Late Shri Jhamlal Aged About 39 Years R/o
Rampur, Patharripa, Balko Road Plot No. 785, Police Station - Civil
Lines, Korba, District Korba (C.G.)

... Petitioner(s)

versus

- 1** - State Of Chhattisgarh Through The Collector, Korba, District Korba
(C.G.)
- 2** - Municipal Corporation, Korba Through, Commissioner Municipal
Corporation, Korba, District Korba (C.G.)
- 3** - Superintendent Of Police District Korba (C.G.)
- 4** - S.H.O. Police Station - Civil Line Korba, District Korba (C.G.)
- 5** - Tahsildar, Korba District Korba (C.G.)
- 6** - Additional Commissioner Municipal Corporation, Korba, District
Korba (C.G.)

7 - Encroachment In-Charge Municipal Corporation, Korba, District Korba (C.G.)

8 - Chandralok Singh Ward Prashad, Ward No. 18, Rampur, Patharripara, P.S. - Civil Lines, Korba, District Korba (C.G.)

9 - Akhilesh Singh R/o Ward No. 18, Rampur, Patharripara, P.S. - Civil Lines, Korba, District Korba (C.G.)

10 - Chandan Mishra S/o Dhirendra Mishra R/o Ward No. 18, Rampur, Patharripara, P.S. - Civil Lines, Korba, District Korba (C.G.)

... Respondents

(Cause title taken from CIS System)

For Petitioners	: Mr. Pushpendra Singh Baghel, Advocate
For State	: Mr. Amit Nayak, PL
For Respondent Nos. 2, 6 & 7:	Mr. P. R. Aacharya, Advocate
For Intervener	: Mr. T.R. Patel, Advocate
For Respondent Nos. 8 to 10	: Mr. Abhinav Patel, Advocate on behalf of Mr. Anurag Bajpai, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

21/08/2026

1. The petitioners have filed this petition with the following reliefs:-

" 10.1 That, this Hon'ble Court be pleased to issue an appropriate Writ or Order or direction thereby calling for the records in respect of grievance of the petitioner.

10.2 That, this Hon'ble Court may kindly be pleased to adjudicate and declare that the

respondent Municipal Council has not power and authority to deal with the subject land of the Petitioner..

10.3 That, the Hon'ble Court may be pleased to direct the respondents not to Interfere with the rights and possession of the Petitioner over the subject land.

10.4 Any appropriate writ, direction or order may also kindly be passed in favour of the petitioners, which this Hon'ble Court deems fit in the circumstances of the case.”

2. Learned counsel for the petitioners submits that since the notice issued by the Municipal Corporation, Korba, pertains to removal of alleged encroachment, the petitioner may be permitted to submit an appropriate reply along with all relevant documents before the competent authority of the Municipal Corporation, Korba. It is further submitted that the said authority may kindly be directed to consider the grievance of the petitioner and pass an appropriate order in accordance with law, after affording due opportunity of hearing to the petitioner.
3. At this stage, learned counsel appearing for the respondent/ Municipal Corporation submits that the alleged encroachment has already been removed.

4. Since the petitioner has approached this Court stating that the construction made upon the private land is sought to be removed, the petitioner is at liberty to file an appropriate application along with the relevant documents before the concerned authorities. Upon receipt of such application, the concerned authorities are directed to consider and decide the same within a period of 30 days and pass an appropriate order in accordance with law, after affording due opportunity of hearing to the petitioner.
5. With the aforesaid observations and directions, this writ petition stands disposed of.

SD/-

(Amitendra Kishore Prasad)

Judge