



CGHC010095402023



2026:CGHC:35661

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1459 of 2023

1 - Shabnam Bakshi Wife Of Shri Sayyed Akbar Bakshi, Aged About 42 Years R/o. Ward No. 9, Gayatri Nagar, Bhartiya Nagar Tehsil And District Bilaspur (Chhattisgarh)

2 - Mohammad Arif, S/o. Abdul Hamid, Aged About 36 Years R/o. Gali No. 03, Bharti Nagar, Bilaspur, District And Tehsil Bilaspur (Chhattisgarh)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary - Revenue Department And Disaster Management, Mahanadi Mantralaya, Atal Nagar, Raipur District Raipur (Chhattisgarh)

2 - State Of Chhattisgarh Through - Urban Administration And Development Department Mahanadi Mantralaya, Atal Nagar, Raipur District Raipur (Chhattisgarh)

3 - Collector, Bilaspur, District - Bilaspur (Chhattisgarh)

4 - Sub-Divisional Officer (Revenue) Tehsil And District Bilaspur (Chhattisgarh)

5 - Tehsildar, Bilaspur, District Bilaspur (Chhattisgarh)

... Respondent(s)

(Cause-title taken from Case Information System)

For the Petitioners	:Dr. Arham Siddiqui, Advocate with Mr. Harsh Verma, Advocate
For the State	:Mr. SS Choubey, GA.
	:

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

12.08.2026

1. Petitioners have filed this petition under Article 226 of the Constitution of India with following reliefs:

“Reliefs Sought:

10.1 That, this Hon'ble Court may kindly be pleased direct the respondent authority that the house of the petitioners may not be demolished until there is demarcation of the land of the petitioners.

10.2 That, this Hon'ble Court may kindly be pleased direct the respondent authority that proceedings drawn in case no.1/A-68/2017-18 before the respondent authority, are done in compliance of the order passed by this Hon'ble court in WPC/2135/2020 and allied petitions.

10.3 That, this Hon'ble Court may kindly be pleased to grant any other relief, as it may deems fit and appropriate.”

2. By way of the present petition, the petitioners have challenged the arbitrary action of the respondent-authorities in initiating demolition proceedings in respect of the petitioners' property without complying with the order/directions passed by this Court vide order dated 15.09.2020 passed in WPC No.2135/2020 and other connected matters and without carrying out any demarcation of land in question.
3. Learned counsel for the petitioners submits that, in the earlier round of litigation, this Court vide order dated 15.09.2020 passed

in WPC No.2135/2020 had directed the concerned authorities to demarcate the land in question and if the petitioners were found to be in occupation of any land which did not belong to them, appropriate action/steps could be taken against them in accordance with law. Learned Counsel further submits that, without carrying out any demarcation, the impugned notice has been issued to the petitioners. Hence, the petitioners have preferred the present petition seeking the reliefs mentioned hereinabove.

4. Learned State Counsel submits that, pursuant to order/direction dated 15.09.2020 passed by this Court in WPC No.2135/2020, the concerned Revenue Inspector issued notices on 06.02.2023 to the petitioners as well as other concerned persons for carrying out demarcation of the land in question, bearing Khasra Nos.665 and 666, admeasuring 0.295 hectare and 1.437 hectares, respectively. However, none of the concerned persons appeared pursuant to the said notices and, therefore, demarcation could not be carried out. Since the persons upon whom notices had been served failed to appear before the concerned authorities, show-cause notice dated 27.02.2023 was subsequently issued to them.
5. Heard learned counsel for the parties and perused the writ petition, including the impugned notice and relevant documents/material available on record.
6. Upon perusal of the material/documents available on record and considering the submissions advanced by learned counsel for the

petitioners, it appears that pursuant to the notice dated 06.02.2023, no demarcation of the land in question was carried out and, without there being any demarcation, the show-cause notice dated 27.02.2023 (Annexure P-5) came to be issued to the petitioners.

7. Considering the aforesaid aspects of the matter, if the demarcation has not yet been carried out or if the petitioners have not been duly informed about the same, the concerned authorities are directed to carry out the demarcation in accordance with the order/directions dated 15.09.2020 passed by this Court in WPC No.2135/2020 and other connected matters. Said demarcation shall be carried out in the presence of all the petitioners/persons upon whom notices dated 06.02.2023 were issued. The concerned Revenue Authorities shall issue a fresh notice to the petitioners and other concerned persons for carrying out the demarcation and, thereafter, following the procedure prescribed under Section 129 of the Chhattisgarh Land Revenue Code, 1959 (CGLRC) and the rules framed thereunder, shall conduct the demarcation in accordance with law, after affording due opportunity of hearing to the petitioners, if the demarcation has not already been carried out in accordance with law.
8. In the event that any demarcation has already been carried out prior to the passing of this order, the petitioners shall be at liberty to approach the concerned authority and raise their grievance in accordance with law.

9. The demarcation, as directed hereinabove, shall be completed within a period of 60 days from the date of receipt of a copy of this order.
10. Till the demarcation is carried out in accordance with the aforesaid directions, the concerned authorities are directed not to take any coercive steps against the petitioners in terms of order of this Court's dated 28.03.2023.

Sd/-
(Amitendra Kishore Prasad)
Judge

J.