



CGHC010356482026



2026:CGHC:44718

RUCHI
YADAV

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by RUCHI YADAV

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 4878 of 2026**

1 - Sukhsen Gond S/o Shri Besahan Singh, Aged About 53 Years R/o Gram Kargikala, Post Banshital, Tehsil Marvahi, Jila Gaurela-Pendra-Marvahi

2 - Ugrasen Gond S/o Shri Besahan Singh, Aged About 52 Years R/o Gram Kargikala, Post Banshital, Tehsil Marvahi, Jila Gaurela-Pendra-Marvahi

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Dwara Sachiv Rajasv Vibhag, Mantralay Mahanadi Bhavan, Naya Raipur, Jila Raipur (C.G.)

2 - Jiladhish, Gaurela-Pendra-Marvahi, Jila Gaurela-Pendra-Marvahi (C.G.)

3 - Bhu-Arjan Adhikari / Anuvibhagiy Adhikari (Rajsv) Marvahi, Jila Gaurela-Pendra- Marvahi (C.G.)

4 - Tahsildar, Tehsil Marvahi, Jila Gaurela-Pendra- Marvahi (C.G.)

5 - Patwari, Kargikala, P.H.No. 24, Tehsil Marvahi, Jila Gaurela-Pendra-Marvahi (C.G.)

6 - Sarpanch, Gram Panchayat - Kargikala, P.H. No. 24, Tehsil Marvahi, Jila Gaurela-Pendra - Marvahi (C.G.)

... Respondent(s)**(Cause title taken from CIS Periphery)**

For Petitioner(s)	:	Ms. Sangeeta Kashyap, Advocate
For Respondent/State	:	Mr. Shobhit Mishra, Dy. G.A.

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

15/10/2026

1. By way of this petition, the petitioners have prayed for following reliefs:-

“10.1 The petitioners respectfully pray that this Hon'ble Court may kindly call for the records pertaining to the petitioners' case from the respondents.

10.2 The petitioners respectfully pray that this Hon'ble Court may kindly quash the order dated 23.08.2024 passed by the Court of the Sub-Divisional Officer (Revenue) against the petitioners, in the interest of justice.

10.3 The petitioners respectfully pray that this Hon'ble Court may kindly direct the demarcation of the affected land belonging to the petitioners and grant appropriate compensation in respect of the acquired land.

10.4 The petitioners further pray that this Hon'ble Court may kindly grant such other relief(s) as it may deem fit and proper in the facts and circumstances of the case, in favour of the petitioners.”

2. Learned counsel appearing for the petitioner submits that the land belonging to the petitioner has been encroached upon by the State authorities and a godown is being constructed over the said land. She submits that the respondent authorities have failed to ascertain the actual location of the land in question.
3. Per contra, learned State counsel, referring to the affidavit filed by the concerned Sub-Divisional Magistrate (SDM), submits that no construction is being raised over the land belonging to the petitioner.

4. Heard counsel for the parties and perused the material available on record.
5. Having considered the submissions made by learned counsel for the parties and upon perusal of the pleadings and documents available on record, it appears that there is a dispute with regard to the possession and identification of the land in question. While the petitioner claims that the godown is being constructed over his land, the State authorities have denied the said claim.
6. In view of the aforesaid dispute, it would be appropriate to direct the respondent authorities to conduct demarcation of the land in question in accordance with Section 129 of the Chhattisgarh Land Revenue Code, 1959 (CGLRC), after issuing prior notice to the petitioner and the adjoining landholders, so that the demarcation may be carried out in their presence.
7. Accordingly, the respondent authorities are directed to conduct the demarcation of the land in question on **25.11.2026**, in accordance with law, after issuing prior notice to the petitioner and the adjoining landholders, sufficiently in advance, to enable them to remain present at the time of demarcation. The demarcation shall be conducted in their presence to ascertain whether the godown has been constructed over the land belonging to the petitioner or over some other land.
8. It is made clear that if notice of the proposed demarcation is not served upon the petitioner and the adjoining landholders or if such notice is served belatedly so as to deprive them of a reasonable opportunity to remain present during the demarcation proceedings, the demarcation so conducted shall not be taken into consideration.

9. The petitioner is directed to extend full cooperation to the respondent authorities in carrying out the demarcation proceedings. Upon completion of the demarcation, if either the petitioner or the State authorities has any grievance, it shall be open to the aggrieved party to avail itself of the appropriate remedy before this Court or the competent forum, in accordance with law.
10. With the aforesaid observations and directions, the present petition stands **disposed of**.

Sd/-

(Amitendra Kishore Prasad)

Judge

Ruchi