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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4948 of 2026

1 - Deepak Dhamecha S/o Late Roopchand Dhamecha Aged About 42 Years R/o D.D.M. School Road, Korba, P.S. Kotwali, District- Korba (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District- Raipur, Chhattisgarh

2 - The Collector, Korba District- Korba, Chhattisgarh

3 - The Sub-Divisional Officer, Korba District- Korba, Chhattisgarh

4 - The Commissioner Municipal Corporation Korba, District- Korba, Chhattisgarh

5 - The Building Officer Municipal Corporation Korba, District- Korba, Chhattisgarh

... Respondent(s)

For Petitioner(s)	:	Shri Shivang Dubey, Advocate.
For State/respondent	:	Shri Shobhit Mishra, Dy GA.
For Respondent No.4 & 5	:	Shri Dhiraj Kumar Wankhede and Ms. Shreya Daga, Advocates.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

14/10/2026

1. This Writ Petition has been filed against the notice issued to the petitioner under Section 307 (2) of the Chhattisgarh Municipal Corporation Act, 1956, dated 07.09.2026 by which, the authorities of the Respondent No. 4 have arbitrarily directed to remove/demolish the construction raised by the petitioner at Khasra No. 670/1 and 670/4 situated at Ward No. 3, DDM

School Road, Korba. Failure to remove the illegal construction within 15 days will result in removal of the illegal construction by the authorities for which notice also will not be issued and the petitioner will bear the sole responsibility for it.

2. Learned counsel for the petitioner submits that he has already filed a reply to the said notice on 18.09.2026 and the concerned authority may be directed to consider the said reply in which, petitioner has also made a proposal for regularization of his alleged illegal construction.
3. Learned counsel for Municipal Corporation, Korba submits that the petitioner has made illegal construction by constructing a complex under the High Tension Line, as such, notice was issued to him. He submits that so far as petitioner 's request for regularizing his illegal construction is concerned, the same cannot be accepted as the same is not allowed under the law and it might be hazardous as well.
4. Learned State counsel submits that since the petitioner has made construction over the high tension line, notice has been issued.
5. Having heard counsel for the parties and considering this fact that petitioner has filed a reply to the impugned notice dated 07.09.2026, this Writ Petition is **disposed of** with a direction to the authority of Municipal Corporation Korba to consider and decide the matter taking into consideration the reply of the petitioner by passing appropriate order and after giving due opportunity of hearing to the petitioner, in accordance with law.
6. The said exercise be done within **30 days from today** and till 30 days, respondent authorities are directed not to take any coercive steps against the petitioner such as demolition, eviction etc. However, the petitioner shall retain

the subject construction at his own risk and responsibility, and the grant of the aforesaid protection shall not be construed as conferring any right to regularization or as creating any equity in his favour.

7. It is also made clear that nothing has been expressed by this Court in the preceding paragraphs on merits and the concerned authority are at liberty to pass order on its own merits.

Sd/-
(Amitendra Kishore Prasad)
Judge

Avinash