

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 2171 of 2019**

Devenand Jagwani Age 57 Years S/o Late Shri Nautan Das Jagwani R/o House No. 29, Ram Swaroop, Khatri Road, New Alipur, Kolkata (West Bengal), Through Power Attorney - Mohan Pritwani, Age 59 Years, S/o Late Shri Shrichand Pritwani R/o N-3, Jeewan Vihar Colony, Telebanda, Thana Telibanda, Tahsil And District Raipur Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mantralaya Atal Nagar, District Raipur Chhattisgarh.
2. Tahsildar, District Raipur Chhattisgarh.
3. National Highway Authority Of India Through Its Project Director, National Highway No. District Raipur Chhattisgarh.

**---- Respondents**

---

For petitioner – Shri Parag Kotecha, Advocate.  
For State-Shri Ashish Surana, PL.  
For respondent No.3- Shri Navin Shukla, Advocate.

---

**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**02/07/2019**

Heard.

1. Learned counsel for the petitioner would submit that the petitioner who was resident of outside of Chhattisgarh came to know that part of his land bearing khasra No.596/1 area 0.146 hectare situated at village Bhatagaon have been acquired and road was constructed without any acquisition. It is contended that in order to ascertain the quantum of the land acquired, an application for demarcation was made to the State authorities, however the same is pending adjudication since November, 2018, therefore State may be directed to demarcate the land of the petitioner, so that necessary legal recourse can be availed.

2. Perused the documents. Perusal of the documents would show that the petitioner has made an application for demarcation of his land bearing khasra No.596/1 admeasuring 0.146 hectare situated at village Bhatagaon. Petitioner claims that the road has been constructed without any acquisition of the land. In such case, quantum of the land which has been enveloped for construction of the road has to be ascertained for which demarcation would be necessary. Since demarcation application is already pending, in the interest of justice, it is directed that the State would be obliged to conduct and complete the demarcation within a further period of three months from the date of receipt of the order, so that the petitioner may take recourse to the other remedy available to him under the law. It is further directed that respondent No.3 shall also cooperate with all the documents so that demarcation can be carried out.

3. Parties shall appear before the respondent No.2 on 15<sup>th</sup> July, 2019.

4. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE