CGHC010159972023 2026:CGHC:45130

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2298 of 2023

PRIYANKA VERMA
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1 - Lomash Verma S/o Manrakhan Verma Aged About 38 Years Resident Of Village - Katai, Police Station -Chandanu, District- Bemetara Chhattisgarh.

2 - Pritam Verma S/o Manrakhan Verma Aged About 35 Years Resident Of Village - Katai, Police Station -Chandanu, District- Bemetara Chhattisgarh.

3 - Rohit Verma S/o Manrakhan Verma Aged About 60 Years Resident Of Village - Katai, Police Station -Chandanu, District- Bemetara Chhattisgarh.

... Petitioners

versus

1 - State Of Chhattisgarh Through - The Secretary, Revenue And Disaster Management Department, Atal Nagar, Naya Raipur Chhattisgarh.

2 - The Collector, Bemetara, District - Bemetara Chhattisgarh.

3 - The Tahsildar, Nawagarh, District - Bemetara Chhattisgarh.

4 - Smt. Renu Dhritlahre, Sarpanch, Gram Panchayat, Katai, Tahsil - Nawagarh, District - Bemetara Chhattisgarh.

... Respondents

For Petitioners	**:**	Mr. Prakash Kumar, Advocate appears on behalf of Mr. Vipin Singh Thakur, Advocate
For State	**:**	Mr. Anway Tiwari, PL

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

26/10/2026

1. The petitioners, in this Writ Petition, have prayed for the following reliefs:-

> *"10.1 That, this Hon'ble Court may kindly be pleased to call the records pertaining to the case from the respondent authorities.*
> *10.2 That, this Hon'ble Court may kindly be pleased to set-aside/quash the impugned notice dated 25.03.2023 and 09.04.2023 (Annexure P/1) and further be pleased to direct the respondent authorities not to take any coercive step against the petitioners pursuant to the impugned notices.*
> *10.3 To kindly grant any other relief which may be deem fit in the given facts and circumstances of the instant case."*

2. Learned counsel for the petitioners submits that the petitioners are challenging the notices dated 25.03.2023 and 09.04.2023, issued for their dispossession from the land bearing Khasra No. 127/1, admeasuring 0.90 hectare, situated at Taregaon Road, Village Katai, Godhikala, Tehsil Nawagarh, District Bemetara (C.G.). He submits that the petitioners have been in possession of the said land for the last 25 years. He further submits that the impugned notices have been issued by the Sarpanch of the concerned Gram Panchayat, who has no authority under Section 56 of the Chhattisgarh Panchayat Raj Adhiniyam to issue notices for removal of encroachment or to order eviction. The concerned Gram Panchayat can only make a recommendation to the competent revenue authorities for taking appropriate action in accordance with law. He, therefore, submits that the impugned notices are liable to be quashed.

3. Learned State counsel submits that the petitioners are encroachers and therefore, are not entitled to any leniency. However, he does not dispute

that the concerned Gram Panchayat has no authority to directly issue notices for removal of encroachment and that the Gram Panchayat may make a recommendation to the competent revenue authorities for taking appropriate action in accordance with law.

4. Having heard learned counsel for the parties and upon perusal of the record, this Court finds that the impugned notices have been issued by the concerned Gram Panchayat for removal of the alleged encroachment. A perusal of Section 56 of the Chhattisgarh Panchayat Raj Adhiniyam indicates that the concerned Gram Panchayat is not empowered to directly issue notices for removal of encroachment and dispossession of the petitioners. If any encroachment is found on the land in question, the concerned Gram Panchayat may make a recommendation to the competent revenue authorities for taking appropriate action in accordance with law. Accordingly, the impugned notices are hereby quashed. However, this order shall not preclude the concerned Gram Panchayat from making a recommendation to the competent revenue authorities for taking appropriate action against the petitioners, if warranted, in accordance with law.

5. With the aforesaid observations and directions, the present petition stands disposed of.

Sd/-

(Amitendra Kishore Prasad)
Judge

Priyanka