



2026:CGHC:25613

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3032 of 2026

- 1** - Dhaneshwari Sahu W/o Shri Ghanshyam Singh Aged About 46 Years R/o H.No. 96 Ward No. 04 Village Kargadih, Khopli, Durg, District Durg (C.G.)
- 2** - Ram Charan Bhardwaj S/o Shri Jagtu Ram Bhardwaj Aged About 79 Years R/o H.No. 253 Ward No. 15 Kodia Pauara Durg, District Durg (C.G.)
- 3** - Bikal Singh Gajpal S/o Shri Jaganath Gajpal Aged About 83 Years R/o H. No. 316 Ward No. 15 Kargadih, Borigarka, Durg, District Durg (C.G.)
- 4** - Chintamani Gajpal S/o Shri Padum Singh Gajpal Aged About 80 Years R/o H.No. 345 Ward No. 16 Kargadih, Borigarka, Durg, District Durg (C.G.)
- 5** - Tarachand Gajpal S/o Shri Bikal Singh Gajpal Aged About 56 Years R/o H.No. 316 Ward No. 15 Kargadih, Borigarka, Durg, District Durg (C.G.)
- 6** - Khuman Singh Bhardwaj S/o Shri Ramcharan Bhardwaj Aged About 53 Years R/o H. No. 253 Ward No. 15 Kodia, Durg, District Durg (C.G.)
- 7** - Lalit Kumar S/o Shri Haldhar Aged About 30 Years R/o H. No. 326 Prani Basti Patel Para, Hanoda, Durg, District Durg (C.G.)
- 8** - Chherku Ram Dewangan S/o Shri Punaram Dewangan Aged About 63 Years R/o H. No. 359 Ward No. 19 Hanoda, Durg, District Durg (C.G.)
- 9** - Heman Bai Kurre S/o Shri Megnath Kurre Aged About 56 Years R/o H. No. 124 Ward No. 50 Bhorsi Bhata, Durg, District Durg (C.G.)

10 - Bisahu Ram Gajpal S/o Shri Shivcharan Gajpal Aged About 82 Years R/o H. No. 136 Ward No. 07 Borigarka, Utai, Durg, District Durg (C.G.)

... Petitioners

versus

1 - South East Central Railway Through Chief Administrative Officer (Construction) Office, Jagmal Chowk Road, Railway Settlement, Bilaspur (C.G.)

2 - The State Of Chhattisgarh Through The Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Atal Nagar, Naya Raipur (C.G.)

3 - The Collector District Durg (C.G.)

4 - The Sub-Divisional Officer (Revenue) Sub-Division Durg, District Durg (C.G.)

... Respondents

(Cause-title taken from Case Information System)

For Petitioners	:	Mr. Shivam Mishra, Advocate
For Respondent No.1	:	Mr. Niraj Baghel, Central Government Counsel on behalf of Mr. Ramakant Mishra, Deputy Solicitor General
For State/Respondents No.2 to 4	:	Mr. Shobhit Mishra, Deputy Government Advocate

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

23.06.2026

1. By filing the present writ petition, the petitioners have challenged the arbitrary, non-transparent and illegal actions of the respondent authorities in relation to the proposed acquisition/utilization of their agricultural lands situated at Tehsil Durg, District Durg (C.G.) for a Railway Line Project. While the petitioners are not opposed to the

project or public development activities, they are aggrieved by the respondents' failure to disclose the statutory basis of the proceedings, issue proper notices, provide an opportunity of hearing, conduct lawful surveys and valuation of lands and assets, and follow due process of law, thereby violating the principles of natural justice and the rights guaranteed under Articles 14, 21 and 300-A of the Constitution of India. The petitioners have prayed for following relief(s) :-

“10.1 This Hon'ble may kindly be pleased to call for the records of the case for the kind perusal of this Hon'ble Court.

10.2 This Hon'ble may kindly be pleased to Issue an appropriate writ, order or direction directing the respondents to disclose the complete acquisition proceedings, including the statutory provisions invoked, notifications, survey reports and other relevant documents, and further grant due notice and adequate opportunity of hearing to the petitioners and other affected land owners.

10.3 This Hon'ble may kindly be pleased to Issue an appropriate writ, order or direction directing the respondents to conduct a fresh and transparent survey of the affected lands and to properly assess and record the nature of the lands and all structures, trees, borewells, irrigation facilities and other assets standing thereon for the purpose of determination of compensation.

10.4 This Hon'ble may kindly be pleased to Issue an appropriate writ, order or direction directing the respondents to undertake the acquisition proceedings strictly in accordance with law and to determine fair compensation and other statutory benefits after following due process and principles of natural justice.

10.5 This Hon'ble may kindly be pleased to Issue an appropriate writ, order or direction directing the respondents to decide the petitioner's all representation before completing acquisition proceeding.

10.6 This Hon'ble may kindly be pleased to issue Any other relief deemed fit in the facts and circumstances of the case may also be granted."

2. Learned counsel for the petitioners submits that the Railway is proposing to construct a railway line and for that there is proposal to acquire the land belonging to the petitioners, to which, the petitioners have submitted multiple representations before the concerned Authority, however, according to the petitioners till date same have not been considered and decided. As such, the petitioner seeking a direction to the concerned respondent-authority to consider and decide their pending representations as per relevant law/rules.

3. Learned counsel for the SECR as well as the State Counsel submit that till today, only survey is going on and so far as the proposal for acquisition is concerned, it is yet to be finalized. If any

representation of the petitioners is pending, same will be decided as per applicable law/rules. Learned State Counsel further pointed out that after survey, the railways has already published a notification dated 24.05.2026 in the Dainik Bhaskar news paper in Raipur circle.

4. Heard learned counsel for the parties.
5. Considering facts of the case, submissions of counsel for the parties, the instant petition stands disposed of directing the petitioners to approach before the concerned Railway Authority in order to decide their representations.
6. Certified copy as per rules.

Sd/-

(Amitendra Kishore Prasad)
Judge

Yogesh