CGHC010397392026 2026:CGHC:43816

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5141 of 2026

1 - Krishna Kumar Patel S/o Late Narsingh Patel Aged About 69 Years Resident Of Village Kabaripali, Tahsil- Dabhra District- Sakti (C.G.)

2 - Hemlal S/o Harichand Patel Aged About 85 Years Resident Of Village Kabaripali, Tahsil- Dabhra District- Sakti (C.G.)

3 - Ramanand Patel S/o Hiralal Patel Aged About 81 Years Resident Of Village Kabaripali, Tahsil- Dabhra District- Sakti (C.G.)

4 - Deo Kumar S/o Pran Nath Aged About 66 Years Resident Of Village Kabaripali, Tahsil- Dabhra District- Sakti (C.G.)

5 - Chandramani S/o Koushal Prasad Patel Aged About 59 Years Resident Of Village Kabaripali, Tahsil- Dabhra District- Sakti (C.G.)

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disaster Management, Mantralaya, Mahanadi Bhavan, Atal Nagar, New Raipur, Chhattisgarh

2 - Secretary, Department Of Water Resource, Mantralaya, Mahanadi Bhavan, Atal Nagar, New Raipur, Chhattisgarh

3 - Collector Sakti, District -Sakti, Chhattisgarh

4 - Sub Divisional Officer (R) Cum Land Acquisition Officer Dabhara, District -Sakti, Chhattisgarh

5 - Engineer In Chief Water Resource Department Shivnath Bhawan New Raipur District- Raipur Chhattisgarh

6 - Executive Engineer Water Resource Department Janjgir Division Head Office At Champa, District -Janjgir Champa, Chhattisgarh

... Respondent(s)

For Petitioner(s)	**:**	Shri Pranjal Agrawal, Advocate
For Respondent(s)	**:**	Shri Abhyuday Tripathi, Panel Lawyer

Hon'ble Shri Justice Amitendra Kishore Prasad

Order on Board

09/10/2026

1. The petitioners have prayed for the following reliefs:

10.1 That, this Hon'ble Court may kindly be pleased to direct the respondents for conducting spot inspection of subject land and if it is found that the land of the petitioners are coming under submergence they may be directed to initiate acquisition proceedings as per provision of Act, 2013 and conclude the same by paying compensation within time frame.

10.2 That, this Hon'ble Court may kindly be

pleased to direct the respondents for also granting interest under Section 80 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 from the date of dispossession.

10.3 That, this Hon'ble Court may kindly be pleased to direct the respondents for also granting additional compensation under Section 30(3) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 from the date of dispossession.

10.4 any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioners.

2. Learned counsel for the petitioners submit that the petitioner no. 1 is the owner of land bearing Khasra No. 242/1, 245/2, 467/2, 72/4 admeasuring area 0.2310, 0.3040, 0.0530, 0.6070 hectare. The petitioner no. 2 is the owner of land bearing khasra no. 72/7/ka, 72/8 admeasuring area 0.11, 0.22 acre. The petitioner no. 3 is the owner of land bearing khasra no. 272/4 admeasuring area 0.13 acre. The petitioner no. 4 is the owner of the land bearing khasra no. 196/5, 282/7, 249/8 admeasuring area 0.0360, 0.0530, 0.040 hectare. The petitioner no. 5 is the owner of land bearing khasra no. 838/1, 905/6, 906/1, 96/8 admeasuring area 0.2230, 0.1900, 0.240, 0.2140 hectare, situated at Village Kabaripali, Tahsil Dabhra, District Sakti (C.G.). It is further submitted that after construction of the Ghatoi Dam, a portion of the petitioners'

agricultural land has come under the submergence area of the said Dam. However, no acquisition proceedings have been drawn with respect to the petitioners' land falling under the submergence area. Therefore, it is prayed that at this stage liberty may be granted to the petitioners to file a fresh representation for redressal of their grievances, and a direction be issued to the respondent authorities to decide the representation, initiate acquisition proceedings, and grant compensation to the petitioners.

3. Learned State counsel submits that the present petition may be disposed of with appropriate direction, however, if the petitioner is seeking indulgence of this Court, then he should file appropriate application before the authorities concerned.
4. Heard learned counsel for the respective parties and perused the documents available on record.
5. Having considered the limited prayer made by the counsel for petitioners, without entering into the merits of the case, this petition is disposed of granting liberty to the petitioners to file a fresh application before respondent authorities alongwith all necessary documents and a copy of this order, within a period of 15 days from today. In the eventuality of filing such application by the petitioners, the respondent authorities are directed to take necessary action in respect of demarcation of the subject land of petitioners within a further period of 45 days from the date of filing of application, after following due process of law, and if it is found

that the said land of petitioners has come in submergence/affected area of the said Dam, then appropriate proceedings be initiated for grant of compensation to the petitioners.

6. The aforesaid proceedings with regard to acquisition and grant of compensation be concluded within a further period of 90 days from the date of demarcation of aforesaid land of petitioners.
7. With aforesaid observations and directions, this writ petition stands disposed of.

SD/-

(Amitendra Kishore Prasad)

JUDGE

Madhurima