CGHC010437702026 2026:CGHC:47446

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5706 of 2026

1 - Dr. Shushma Ravi W/o Dr. Sudhanshu Kiran Aged About 40 Years Proprietor Shri Mahavir Hospital, Currently R/o Vasundhara Vihar Godhanpur Ambikapur, Distt. Surguja Chhattisgarh

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Principal Secretary, Department Of Health And Family Welfare, Mantralay, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Distt. Raipur Chhattisgarh

2 - Collector Ambikapur Distt. Surguja Chhattisgarh

3 - Municipal Corporation Ambikapur Distt. Surguja Chhattisgarh

4 - Chief Medical And Health Officer Ambikapur, Distt. Surguja Chhattisgarh

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Vivek K. Shrivastava, Advocate
For State/Respondents No. 1, 2 and 4	:	Mr. Shobhit Mishra, Dy. G.A., appears on advance copy
For Respondent No. 3	:	Mr. Bhupendra Singh, Advocate appears on advance copy

SB: Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

18/11/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> “i. To kindly issue an appropriate writ, order or direction, quashing and setting aside the impugned notice dated 28.10.2026 issued by Respondent No. 3 under Sections 293, 294 and 307 of the Chhattisgarh Municipal Corporation Act, 1956.
>
> ii. To kindly issue an appropriate writ, order or direction declaring that the respondent authorities cannot undertake any coercive demolition action against the petitioner.
>
> iii. To kindly direct Respondent No. 3, i.e., the Commissioner, Municipal Corporation, Ambikapur, to consider and decide the petitioner's request for compounding of the alleged deviations under Section 308-A of the Chhattisgarh Municipal Corporation Act, 1956, after conducting proper measurement and verification of the existing construction vis-à-vis the sanctioned building plan and by passing a reasoned and speaking order.
>
> iv. To grant such other and further reliefs as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice and equity.”

2. Learned counsel appearing for the petitioner submits that a notice has been issued to the petitioner directing demolition of the excess construction raised by him. He further submits that the alleged excess construction is negligible in nature and is capable of being considered for regularization by the competent authority. In this regard, the petitioner has already submitted his reply to the impugned notice.

3. Learned counsel appearing for the Municipal Corporation submits that, if the petitioner files an appropriate application seeking regularization/compounding of the alleged deviations, the same shall be considered in accordance with law.

4. Heard learned counsel for the parties and perused the material available on record.

5. Considering the submissions advanced by learned counsel for the parties, the instant petition is disposed of with a direction to the petitioner to submit an appropriate application seeking regularization/compounding of the alleged deviations before the competent authority. In turn, the Municipal Corporation, Ambikapur, through its competent authority, is directed to consider and decide the same strictly in accordance with law.

6. It is further directed that, in the event the petitioner submits such an application within a period of 10 days from today, the concerned authority shall consider and decide the same within a further period of 30 days from the date of receipt of the application.

7. Till such consideration and decision, no coercive steps shall be taken against the petitioner.

8. With the aforesaid observations and directions, the writ petition stands **disposed of.**

Sd/-

(Amitendra Kishore Prasad)
Judge

Ruchi