



2026:CGHC:9458

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 798 of 2026**

Mohamad Hanif Raine Aged About 80 Years Occupation - Agriculturist, S/o Late Raheem Bakash, R/o Ward No. 5, Pendra Road Gorela, PS. Gorela, District Gorela-Pendra-Marvahi Chhattisgarh

... **Petitioner.****Versus**

1. State Of C.G. Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Raipur Chhattisgarh
2. Collector District Gorela-Pendra-Marvahi Chhattisgarh
3. Janpad Panchayat, Gorela Through Its C.E.O. Chief Executive Officer, District Gorela-Pendra-Marvahi Chhattisgarh
4. Sub Divisional Officer (Revenue) Pendra Road, District Gorela-Pendra-Marvahi Chhattisgarh
5. Tehsildar Tehsil - Gorela, District Gorela-Pendra-Marvahi Chhattisgarh

... **Respondents.**

For Petitioner	:	Mr. Sourabh Kumar Sharma, Adv through VC.
For State	:	Mr. Pranjal Shukla, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****24/02/2026**



1. The relief sought by petitioner in this writ petition under Article 226 of the Constitution of India is reproduced hereunder:-

"i. This Hon'ble Court may kindly issue writ in the nature of certiorari may be set aside the impugned orders dated (Ann. P/2 to P/4)

ii. This Hon'ble Court may kindly issue writ in the nature of mandamus may be directed to respondent no/3 to decide & pass the speaking order the objection/reply (Ann.P/5), in light of order passed by Apex Court in M/s Kranti Associates Pvt. Ltd. and another Vs. Masood ahmed Khan and others (2010) 9 SCC 496."

2. Learned counsel for the petitioner submits that the petitioner is the recorded owner of the land bearing Khasra No. 518/1, situated at Village Sarbahara, Patwari Halka No. 20, Tahsil Pendra, District Gaurela-Pendra-Marwahi. The said property was purchased by a registered sale deed dated 07.02.1970, and since then the petitioner has remained in continuous possession of the land. However, respondent No.3 has issued a series of eviction notices dated 28.08.2025 (Annexure-P/4), 11.09.2025 (Annexure-P/3), and 28.01.2026 (Annexure-P/2) against the petitioner and the petitioner has been held as an encroacher and by the last notice he has been directed to vacate the aforesaid land and remove the encroachment within 3 days. Counsel further submits that the impugned notices (Annexures P/2, P/3, and P/4) were issued without the registration of any revenue case. Furthermore, respondent No.3 has failed to specify the particular portion or Khasra number of land upon which the petitioner has allegedly encroached. Hence, the impugned notices are arbitrary, vague, and unsustainable, and therefore deserve to be quashed.



3. On a specific query being put to the learned State counsel with regard to the aforesaid notices, he admits that in the said three notices, neither a revenue case nor any Khasra number is mentioned in respect of the land on which the petitioner has allegedly raised illegal construction.
4. Heard learned counsel for the parties and perused the record.
5. From a perusal of the three notices dated 28.08.2025 (Annexure-P/4), 11.09.2025 (Annexure-P/3), and 28.01.2026 (Annexure-P/2), it appears that although the same were issued against the petitioner, but they do not contain any reference to a revenue case registered against him. Furthermore, there is no mention of the specific Khasra number of the land on which the petitioner has allegedly encroached or raised illegal construction. The aforesaid three notices are completely vague and lack relevant information. Hence, the impugned notices (Annexures P/2, P/3, and P/4) deserve to be, and are hereby, quashed.
6. However, liberty is reserved in favor of respondent No. 3 to take appropriate steps in respect of the subject issue in accordance with law, after affording a proper opportunity of hearing to the petitioner. Further, if any order is passed, the same shall be a clear and speaking order.
7. With the aforesaid observations and directions, this petition stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay