



2026:CGHC:5247-DB  
**NAFR**

## **HIGH COURT OF CHHATTISGARH AT BILASPUR**

### **WPPIL No. 92 of 2025**

In The Matter Of Suo Moto Public Interest Litigation Based On News Item Published In Bilaspur Haribhoomi, Dated 16th October, 2025 Namely 40 Sal Purane Raste Ko Band Kar Likh Diya Gujarane Walon Ki Khoob Khatirdari Ki Jayegi

**... Petitioner**

#### **versus**

- 1** - State of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh
- 2** - Secretary Revenue And Disaster Management Department, Nava Raipur Chhattisgarh
- 3** - Collector Bilaspur, District Bilaspur Chhattisgarh
- 4** - Superintendent of Police Bilaspur, District Bilaspur Chhattisgarh
- 5** - Commissioner Municipal Corporation Bilaspur, District Bilaspur Chhattisgarh
- 6** - Sub-Divisional Officer (Revenue) Bilaspur, District Bilaspur Chhattisgarh

**... Respondents**

(Cause-title taken from Case Information System)

For State	:	Mr. Praveen Kumar Das, Additional Advocate General
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**Hon'ble Shri Ramesh Sinha, Chief Justice**  
**Hon'ble Shri Ravindra Kumar Agrawal, Judge**  
**Order on Board**

**Per Ramesh Sinha, Chief Justice**

**30.01.2026**

1. This is an office reference.
2. Heard Mr. Praveen Das, learned Additional Advocate General, appearing on behalf of the State.



3. This suo motu Public Interest Litigation came to be registered on the basis of a news item published in the Hindi daily *Haribhoomi* under the headline “40 साल पुराने रास्ते को बंद कर लिख दिया गुजरने वालों की खूब खातिरदारी की जाएगी”, highlighting obstruction of a long-standing passage (*pagdandi*) used by residents living beneath the Dayalband Bridge, District Bilaspur.
4. On 16.10.2025, when the matter was taken up for the first time, this Court, after perusing the said news report, recorded that certain private individuals had allegedly blocked a passage which had been in use for more than 40 years by about 15 families, thereby causing grave hardship. This Court further observed that children were being compelled to cross the river and were being carried on shoulders to attend school, that vehicles could not be taken to the houses, and that complaints in this regard had already been made to the Collector. Considering the seriousness of the issue and the apparent failure of timely administrative intervention, this Court directed the District Magistrate, Bilaspur, to file his personal affidavit.
5. On 28.10.2025, the Collector, Bilaspur filed his personal affidavit. Upon consideration thereof, this Court recorded that pursuant to the complaint, a spot inspection and *panchnama* had been conducted by the Revenue Authorities, which revealed that the *pagdandi* existed and was recorded in the revenue records, and that it had been obstructed by erection of a wall by one Shri



Sanjay Chapariya. Though the obstruction had subsequently been removed and preventive as well as penal proceedings had been initiated, this Court observed that the affidavit reflected post-facto action and revealed a lack of preventive supervision in protecting commonly used public passages. Accordingly, the Collector, Bilaspur was directed to file a fresh and comprehensive affidavit proposing permanent measures for demarcation, maintenance, and protection of *pagdandis*.

6. On 18.11.2025, the fresh affidavit filed by the Collector was taken on record. From its perusal, this Court recorded that the provisions of Sections 131, 132, and 133 of the Chhattisgarh Land Revenue Code, 1959 governing rights of way and removal of obstructions had been invoked. This Court further noted with approval that directions had been issued to all concerned revenue and local authorities to ensure that any passage recorded in the *Wazib-ul-Arz* is not obstructed and that immediate action be taken in case of encroachment. Revenue Inspectors and Halka Patwaris were also directed to submit reports regarding long-standing passages. Considering the measures indicated, this Court directed the matter to be listed for further monitoring on 30.01.2026.
7. On 15.12.2025, before the scheduled date, this Court took note of another news report published in *Dainik Bhaskar* under the heading “गर्डर लगाकर रास्ता ब्लॉक, शर्मा विहार के लोग परेशान”, indicating



blockage of a road connecting Sharma Vihar and Chandra Geetanjali City. In view of the recurring nature of obstruction of public ways, this Court directed the Commissioner, Municipal Corporation, Bilaspur to file his personal affidavit.

8. On 17.12.2025, the Commissioner, Municipal Corporation, Bilaspur filed his affidavit. From its perusal, this Court recorded that immediate spot inspection had been conducted, that the girders placed by local residents were found to be unauthorized, and that the same were removed forthwith on 16.12.2025, restoring the road for free public use. The Municipal Corporation also undertook to continue monitoring and to take action strictly in accordance with law in case of any future obstruction.
9. Today, the matter was listed for further monitoring and when it was taken up, learned State counsel submitted that no further instance of obstruction of the *pagdandi* or access roads, which were the subject matter of the present suo motu Public Interest Litigation, has been reported. It is further submitted that no adverse communication or complaint has been received from the affected residents or from any authority indicating recurrence of blockage of the passage or hindrance to free public access.
10. Upon anxious consideration of the entire material placed on record, the successive affidavits filed by the District Administration and the Municipal Corporation, and remedial measures undertaken pursuant to the directions issued by this Court from



time to time, it emerges that specific instances of obstruction of public passages and access roads, which compelled this Court to exercise suo motu jurisdiction, have since been addressed by the competent authorities.

11. This Court records that the unlawfully erected wall and gate obstructing the long-standing *pagdandi* beneath the Dayalband Bridge have been dismantled, access to the affected families has been restored, and preventive as well as penal proceedings have been initiated against the person responsible for such obstruction. This Court further notes that systemic measures have been put in place by the District Administration by invoking the provisions of the Chhattisgarh Land Revenue Code, 1959, including issuance of directions to all revenue officers to ensure protection, demarcation, and prompt removal of encroachments over passages recorded in the *Wazib-ul-Arz*.
12. This Court also takes note of the proactive steps taken by the Municipal Corporation, Bilaspur in the subsequent incident concerning blockage of a public road at Sharma Vihar, wherein immediate inspection was conducted, unauthorized obstructions were removed without delay, and an assurance of continued monitoring has been placed on record.
13. While the present proceedings disclose that effective corrective action has ultimately been taken, this Court cannot be oblivious to the fact that such remedial measures were largely triggered only



after publication of news reports and judicial intervention. The right of residents to safe and unhindered access to their homes, workplaces, schools, and essential services is an integral facet of the rule of law and orderly governance. Encroachments upon public ways, whether by private individuals or organized groups, not only cause undue hardship to citizens but also undermine public confidence in statutory authorities.

- 14.** Before closing the proceedings, this Court expects and trusts that the District Administration and the Municipal Corporation shall remain vigilant and shall ensure strict and uniform enforcement of statutory provisions relating to public ways and easements, so that affected citizens are not compelled to seek redress through extraordinary judicial intervention in future. The authorities shall also ensure that any obstruction to public passages is dealt with promptly, firmly, and in accordance with law, without waiting for escalation or public outcry.
- 15.** In view of the above and considering that the immediate grievances which led to initiation of the present suo motu Public Interest Litigation stand redressed, this Court finds no reason to keep the matter pending.
- 16.** However, liberty is reserved to any affected person to approach the competent authority or the appropriate forum in accordance with law, in case of recurrence of obstruction or failure of enforcement.



17. Accordingly, the present suo motu Public Interest Litigation is disposed of, with the hope and trust that the State and local authorities shall remain vigilant in future and take timely preventive as well as remedial measures to ensure that public passages, *pagdandis*, and access roads are not unlawfully obstructed, and that citizens are not compelled to approach this Court for redressal of such grievances.

**Sd/-**

**(Ravindra Kumar Agrawal)**  
**Judge**

**Sd/-**

**(Ramesh Sinha)**  
**Chief Justice**

Anu