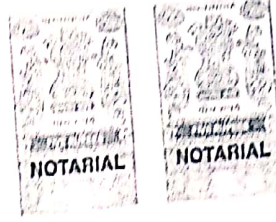


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IN THE HIGH COURT OF CHHATTISGARH AT

BILASPUR

W. P. (PIL) No. 81 OF 2021

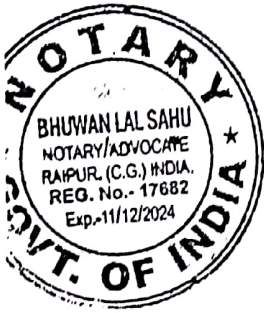
PETITIONER

Chhattisgarh Adhikar Andolan  
Samiti

VERSUS

RESPONDENTS

State of Chhattisgarh and  
others.



AFFIDAVIT IN COMPLIANCE OF HON'BLE COURT'S  
ORDER DATED 24.07.2024

I, Amitabh Jain, Aged about 59 years, S/o Shri S. C. Jain, presently posted as Chief Secretary, Government of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Distt. Raipur (C.G.), do hereby solemnly affirm on oath and declare as under:-

1. That, the instant writ petition is filed by the petitioner seeking direction against the respondents No. 1 to 4 to remove encroachment from the canal and Nala as mentioned in the writ petition.

2. That, vide order dated 24.07.2024 the Hon'ble Court was pleased to direct the Chief Secretary, Government of Chhattisgarh to file personal affidavit in the matter as to how the land in question has been encroached by the private builders. It was further directed that appropriate action be taken against the respondents No. 5 to 7 in accordance with law along with the officials of the State /respondents who allowed the government land to be encroached.

*[Signature]*

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3. That, in compliance of the Hon'ble Court's order, the deponent directed the Collector, Raipur to initiate proceedings for removal of encroachment and also to take appropriate action against the respondent No. 5 to 7, through video conferencing.

4. That, the Collector issued notices to the respondents No. 5 to 7 along with other encroachers and directed them to file reply. After hearing the parties, the Collector, Raipur vide order dated 03.09.2024 directed the Naib Tahsildar, Raipur to initiate proceedings under Section 248 of the Chhattisgarh Land Revenue Code, 1959 for removing of encroachments. The Commissioner, Municipal Corporation, Raipur was also directed to verify the building construction permission granted to the sellers/ buyers of the land in question. A direction was also issued to take action against the erring officials. Copy of order dated 03.09.2024 is filed herewith as ANNEXURE X-1.

5. That, on 12.08.2024 the Naib Tahsildar, Raipur has already initiated the proceedings under Section 248 of Chhattisgarh Land Revenue Code, 1959. In compliance of the directions issued, the Naib Tahsildar, Raipur, giving opportunity of hearing to the parties, passed the final order on 05.09.2024. A copy of order dated 05.09.2024 is filed herewith as ANNEXURE X-2. Bedakhli warrant was issued on 05.09.2024 against all 37 encroachers.

6. It is respectfully submitted that action for removal of encroachment was commenced on 10.09.2024 and will continue further. Copies of photographs showing

*[Signature]*

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removal of encroachment are filed herewith collectively as ANNEXURE X-3.



7. It is respectfully submitted that the office of the Collector, Raipur has submitted a report to the office of the deponent on 09.09.2024 giving details of action taken for removal of encroachment on the land in question. A copy of report dated 09.09.2024 is filed herewith as ANNEXURE X-4. Vide report dated 09.09.2024 the Collector, Raipur has specifically mentioned that the builder Amrit Homes Private Limited violated the terms of the permission and constructed boundary wall obstructing the Canal. The boundary wall has been removed. The canal situated on the site has been converted into pathway and garden. The pathway, garden, etc. is being removed and the canal is being restored. Further, Dream Homes and Piyush Colony were not granted any permission. It has been stated that the issue was brought before the Lok Ayog and the Lok Ayog had passed certain orders on 25.06.2018 for restoration of earlier position of the area. The concerned officers have been directed to restore the area as per the orders of Lok Ayog.

8. That, the Directorate of Town and Country Planning has also submitted a report to the office of the deponent on 09.09.2024 with respect to the illegal construction and development by Lavista Welfare Society Amlidih, Raipur and M/s Amrit Home Private Limited, M/s Raghu Ventures Private Limited. The report of Directorate of Town and Country Planning Chhattisgarh is in support of the report submitted by the Collector, Raipur on 09.09.2024. A copy of the report submitted by

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the Directorate of Town and Country Planning Chhattisgarh on 09.09.2024 is filed herewith as ANNEXURE X-5. The Municipal Corporation, Raipur has submitted a report dated 05.09.2024 to the Collector, Raipur giving details of the permission, the construction made by the Colonizers from time to time and the action taken against the Colonizers from time to time. The report submitted by the Municipal Corporation, Raipur shows that there are constructions on canal land. The builders have constructed road, garden on the canal. The constructions made by 37 encroachers is part of illegal colony. After orders of the Naib Tahsildar, Raipur action is being taken for removal of encroachment. A copy of report dated 05.09.2024 is filed herewith as ANNEXURE X-6.

The affidavit may kindly be taken on record.

DEPONENT

VERIFICATION

I, Amitabh Jain, the deponent named above do hereby verify that the contents of this affidavit from paras 01 to 08 are true to the best of my personal knowledge and belief.

Verified and signed on this day of \_\_\_ September, 2024 at Raipur (C.G.).

IDENTIFYING WITNESS

Identified by me.  
Devendra Verma  
Patwari

SOLEMENLY AFFIRMED OR  
SWORN BEFORE ME BY  
THE WITHIN NAMED.

DEPONENT

Bhuwan Lal Sahu  
Notary/Advocate  
RAIPUR (C.G.) INDIA

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