



2026:CGHC:4613

NAFR

## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPC No. 340 of 2026

Seema Bai Ratre W/o Samaru Ratre Aged About 60 Years R/o Village- Post Rakhi, Khapri, Tehsil Mandir Hasaud District- Raipur (C.G.)

... Petitioner.

### Versus

1. State Of Chhattisgarh Through- Secretary, Department Of Urban Administration And Development Department Government Of Chhattisgarh, Mantralaya Mahanadi Bhawan,atal Nagar Nawa Raipur District- Raipur (C.G.)
2. Collector Raipur District- Raipur (C.G.)
3. Tehsildar Tehsil Mandir Hasaud District- Raipur (C.G.)
4. Manager (Rehabilitation) Nawa Raipur Atal Nagar Development Authority Nawa Raipur, District- Raipur (C.G.)
5. Deputy Manager (Area) Nawa Raipur Atal Nagar Development Authority Nawa Raipur District- Raipur (C.G.)

(Cause title downloaded from CIS Periphery)

For Petitioner	:	Mr. Mo. Naqeeb, Advocate.
For Res No.1 to 3/State	:	Dr. Arham Siddiqui, PL.
For Res No.4 & 5	:	Mr. Ashutosh Singh Kachhwaha, Advocate.

**(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**

### Order on Board

28/01/2026



1. By way of the present Writ Petition under Article 226 of the Constitution of India, the petitioner is seeking following reliefs:-

"(i) Issue an appropriate writ, order or direction, including a writ of Certiorari/ Mandamus or other appropriate wrt, quashing and setting aside the eviction notice/order dated 02.01.2026 issued by the Assistant Manager (Land), New Raipur Development Authority, as being illegal, without jurisdiction and contrary to Section 248 of the Chhattisgarh Land Revenue Code, 1959;

(i) Declare that the impugned eviction proceedings initiated under Section 248 of the Chhattisgarh Land Revenue Code, 1959 by the Assistant Manager (Land), New Raipur Development Authority are void ab initio and unenforceable in law;

(iii) Issue an appropriate writ, order or direction restraining the Respondent Authorities from taking any coercive action, including eviction or dispossession of the Petitioner from the subject land, pursuant to the impugned notice/order dated 02/01/2026;

(iv) Direct the Respondent Authorities to decide the Petitioner's representation dated 06/01/2026 in accordance with law, within a stipulated time frame, after granting due opportunity of hearing to the Petitioner;

(v) Direct the Respondent Authorities to consider the Petitioner's case for rehabilitation and allotment of alternative land, in terms of the applicable settlement and rehabilitation policy, in view of the Petitioner's inclusion in the settlement/eligibility list;

(vi) Grant any other relief(s) which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in favour of the Petitioner;



(vii) Award the cost of the petition in favour of the Petitioner."

2. Mr. Mo. Naqeeb, learned counsel for the petitioner, submits that the petitioner is resident of Village Khapri, Sector-32, Layer-1, Nawa Raipur and residing there prior to year 1998. At Village Khapri the petitioner has occupied land admeasuring 2500 Sq ft out of which in 620 Sq ft she has constructed a Kaccha House. Land(s) of Village Khapri has been acquired by the respondent/Authority for development of Nawa Raipur area. He further submits that earlier eligibility list (Annexure-P/2) was prepared by respondent/Authority where petitioner and her son's name finds place at Sr. No.109 and she was found eligible for rehabilitation, despite that plot has not been allotted to the her, rather an eviction warrant dated 02.01.2026 (Annexure-P/5) has been issued against the premises which the petitioner has occupied since 1998, whereby, the petitioner has been directed to vacate the land as well as the house. Learned counsel further submits that the petitioner has submitted an application (Annexure-P/6) on 31.12.2025 (received by the Authority on 06.01.2026) before the respondent/Authorities viz. Collector, Raipur, Chief Executive Officer, Nawa Raipur Atal Nagar Vikas Pradhikaran (NRDA), Raipur and Sub Divisional Officer, Mandir Hasoud Arang, raising his grievance that he ought not be dispossessed from the said land, but no relief has been provided to the petitioner.

3. Learned counsel further submits that the petitioner is ready to file fresh application/representation before the respondent Authority/competent Authority for rehabilitation as she has been found eligible for same therefore, at this stage, this petition may be disposed of and a direction



may be issued to the respondent/Authorities to decide such application in an expeditious manner and till decision of the same, possession of the petitioner to which eviction warrant dated 02.01.2026 (Annexure-P/5) has been issued, may be protected.

4. On the other hand, learned counsel for the respondents submit that if petitioner will file fresh application/representation, the same shall be decided in accordance with applicable law/rules/policy.
5. Heard learned counsel for the parties and perused the documents annexed with the petition.
6. Perusal of list (Annexure-P/2) the petitioner was found eligible for Patta for rehabilitation, but according to counsel for the petitioner, the petitioner has not been given Patta despite being eligible for the same. Further, from perusal of eviction notice dated 02.01.2026 (Annexure-P/5) it appears that the petitioner has occupied 620 Sq ft of land of Khasra No.80, Area 2.20 Hectares, which is allegedly owned by the NRDA, but in spite of that the Authorities are not issuing Patta in favour of the petitioner as stated by counsel for the petitioner.
7. In the aforesaid circumstances, instead of keeping the present petition pending, this Court finds it appropriate to dispose of the petition granting opportunity to the petitioner to file application/representation before the respondent Authority i.e. respondents No.4 & 5 within a period of 30 days from today along with necessary documents including copy of this order. Upon receipt of such representation/application, the respondent Authority/competent Authority shall decide the same within further period of 60 days.



8. However, it is observed that till decision of the application/representation filed by the petitioner, no coercive steps shall be taken against him. Furthermore, in the event the petitioner fails to file the said application/representation within the stipulated time frame, this order shall lost its efficacy.
9. It is made clear that this Court has not expressed any opinion with regard to entitlement of the petitioner and the Authorities shall consider and decide his claim strictly in accordance with applicable law/rules/policy.
10. With the aforesaid direction/observation, this petition stands disposed of.

Sd/-

**(Naresh Kumar Chandravanshi)**  
**Judge**

Ajay