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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 541 of 2017**

Smt. Sarla Agrawal W/o Ashok Agrawal, Aged about 38 years R/o M- 5, Krishna Nagar, Danganiya, Raipur, Tahsil & Distt Raipur, (Chhattisgarh)

---- **Petitioner****Versus**

1. State of Chhattisgarh through The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- **Respondents****WPC No. 542 of 2017**

Smt. Savitri Ganjir W/o R. S. Ganjir, Aged about 36 years R/o F-1, PWD Colony, Kanker, Distt. Kanker, (Chhattisgarh)

---- **Petitioner****Vs**

1. State of Chhattisgarh through The Secretary, Department of Urban

Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)

2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

WPC No. 543 of 2017

Yogesh Savariya S/o Yashwant Savariya, Aged about 34 years R/o Gandhi Ganj, Station Road, Raigarh, Tahsil & Distt. Raigarh (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh through The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)

6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

WPC No. 544 of 2017

Smt. Jayanti Jha W/o D. M. Jha, Aged about 28 years R/o MIG 53, Ring Road No.2, Tatibandh, Raipur, Tahsil & District Raipur, (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh through The Secretary, Department of Urban Development Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

WPC No. 583 of 2017

Shivaji Rao Khandait Mehar S/o Sadashiv Rao Khandait, Aged about 58 years R/o Golebazar, Telipara, Raipur, Tahsil & Distt. Raipur, (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh through The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

WPC No. 546 of 2017

Smt. Sudeshana Sarkar Goshal W/o Sanjay Goshal, Aged about 39 years R/o 1205 Shivlik Tower, Thakur Complex, Kandavili (East), Mumbai (Maharashtra)

---- Petitioner

Vs

1. State of Chhattisgarh through The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)

2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

WPC No. 547 of 2017

Smt. Geeta Sarda W/o Mohan Lal Sarda, Aged about 55 years R/o Ganesh Ram Nagar, Ward 5, Post Baghbahara, Distt. Mahasamund (Chhattisgarh)

---- Petitioner

Vs

1. State of Chhattisgarh through The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
2. The Collector, District Raipur (Chhattisgarh)
3. The Chief Executive Officer, Raipur Development Authority, District Raipur (Chhattisgarh)
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur, (Chhattisgarh)
5. Sanjay Bajpai Builders Pvt. Ltd., New Swagat Vihar Project, through its Managing Director Smt. Sarita Bajpai, R/o 3rd Floor, Krishna Complex, Jail Road, Raipur, District Raipur, (Chhattisgarh)
6. The Central Bureau of Investigation, through The Director, New Delhi.

7. Secretary, Department of Revenue, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
8. Secretary, Department of Home, Mahanadi Bhawan, Mantralaya, New Raipur, Raipur, (Chhattisgarh)
9. Director, Nagar Tatha, Gram Nivesh Raipur, District Raipur, (Chhattisgarh)
10. Diwan Housing Finance Corporation Ltd., DHFL, Regd. Office Wardern House, Second Floor, Sir P.S. Road, Fort, Mumbai 400001 (Maharashtra)

---- Respondents

And

WPC No. 2756 of 2016

Smt. Savitri Gupta W/o Vinod Kumar Gutpa, Aged about 38 years R/o Navdurga Chowk Reddy Bada Near Pujari School, Raja Talab Raipur, Tahsil & District Raipur Chhattisgarh

---- Petitioner

Vs

1. State of Chhattisgarh Thorugh The Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya New Raipur, Raipur Chhattisgarh
2. The Collector, Director Raipur Chhattisgarh.
3. The Chief Executive Officer, Raipur, Development Authority District Raipur Chhattisgarh.
4. The Municipal Corporation, Raipur, through The Commissioner, District Raipur Chhattisgarh.
5. Sanjay Bajpai Builders Private Limited, (New Swagat Vihar Project through The Director Smt. Sarita Bajpayee R/o Third Floor, Krishna Complex, Jail Road, Raipur, District Raipur Chhattisgarh.
6. Central Bureau of Investigation, through The Director, New Delhi.
7. Secretary, Department of Revenue, Mahandi Bhawan, Mantralaya, New Raipur, Raipur Chhattisgarh.
8. Secretary, Department of Home, Mahandi Bhawan, Mantralaya, New Raipur, Raipur Chhattisgarh.
9. Director, Nagar Tatha, Gram Nivesh Indravati Bhawan, Naya Raipur, District Raipur Chhattisgarh.

---- Respondents

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- Mr. Prateek Sharma with Mr. Tridib Bhattacharya, Mr. Y.C. Sharma, Mr. Manish Upadhayay, Mr. B.D. Guru - Advocates for the respective petitioners.
 - Mr. Arun Sao, Dy. Advocate General for the State.
 - Mr. Pankaj Agrawal, Mr. Animesh Verma, Mr. Neeraj Pradhan, Mr. Satish Gupta, Mr. B.P. Sharma - Advocates for the respective respondents.
 - Mr. Ashish Shrivastava with Mr. Satish Gupta and Mr. Kashif Shakeel – counsel for Raipur Development Authority.
 - Mr. Kishore Bhaduri – counsel for C.B.I.
 - Mr. Sunil Otwani – counsel for Diwan Housing Finance Limited, Secured Creditor.
 - Mr. Pankaj Agrawal – counsel for Municipal Corporation, Raipur.
 - Mr. P.R. Patankar and Mr. Utsav Malishwar – counsel for Respondent Bank, SBI.
 - Mr. N.K. Gupta (Joint Director), Mr. Sandeep Bangade (Joint Director), Mr. Vineet Nair (Deputy Director) – for Urban and Town Planning Dept. Raipur.
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Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/09/17

W.P. (C) Nos. 2009/2015 and 2010/2015 have been allowed by a separate order dated 13.09.2017 subject to certain directions. These writ petitions are also disposed of, at present, in terms of the order passed in W.P. (C) Nos. 2009/2015 and 2010/2015. However, if occasion arises the petitioners are at liberty to raise grounds available to them under the law.

2. Mr. B.P. Sharma, learned counsel appearing for respondent No. 5, would submit that all the allottees who have been allotted the land owned by respondent No. 5- M/s Sanjay Bajpai Builders Private Limited shall be allotted encumbrance free land owned by respondent No. 5 on the basis of mutual consent.

3. The statement is taken on record.

4. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge