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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1615 of 2018**

Abdul Rahman S/o Abdul Rajjak, Aged About 40 Years R/o Ward No. 27, 10, Chandra Shekhar Ajad Nagar, Khursipar, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Collector, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
4. Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Assistant Revenue Officer, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondents**Writ Petition (C) No. 1617 of 2018**

Smt. Bishmilla W/o Late Abdul Gani, Aged About 69 Years R/o Ward No. 27, 111, Nandini Road, Durga Nagar, Khursipar, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Collector, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
4. Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Assistant Revenue Officer, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondents

Writ Petition (C) No. 1618 of 2018

Bhagwati Bai W/o Late Ashok Singh, Aged About 49 Years R/o Ward No. 27, Soniya Gandhi Nagar, Khursipar, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Collector, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
4. Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Assistant Revenue Officer, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- **Respondents**

Writ Petition (C) No. 1619 of 2018

Shyam Bai W/o Girdhari Lal Koshle, Aged About 52 Years R/o Ward No. 27, Chandra Shekhar Ajad Nagar, Khursipar, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Collector, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
4. Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Assistant Revenue Officer, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- **Respondents**

Writ Petition (C) No. 1621 of 2018

Parwati Sahu W/o Hansha Sahu, Aged About 51 Years R/o Ward No. 27, Soniya Gandhi Nagar, Khursipar, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Commissioner, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh
3. Collector, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
4. Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh
5. Assistant Revenue Officer, Municipal Corporation, Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondents

For the Petitioners	:	Shri Kishore Narayan, Advocate.
For the Respondents	:	Shri R.N. Pusty, Government Advocate and Shri Anup Majumdar, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****14.06.2018**

1. Learned counsel for the petitioners would submit that the petitioners have been allotted land under the Chhattisgarh Nagariya Kshetron Ke Bhoomihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) Adhiniyam, 1984 (for short, 'the Act, 1984') and the Rules made thereunder known as the Chhattisgarh Nagariya Kshetron Ke Bhoomihin Vyakti (Pattadhriti Adhikaron Ka Pradan Kiya Jana) Rules, 1998 (for short, 'the Rules, 1998'). Learned counsel for the petitioners further submits that procedure prescribed in the Rules of 1998 and Section 3A of the Act, 1984 is not being followed and High Power Committee has not taken any decision for removal of the petitioners.

2. Learned counsel for the State and Municipal Corporation would submit that most of the petitioners have vacated the premises and one of the petitioners has already been shifted to the alternative house.

3. I have heard learned counsel for the parties.

4. Be that as it may, since the decision has to be taken by the High Power Committee constituted by the State Government under Rule 9 of the Rules, 1998 read with Section 3-A of the Act, 1984, the matter is referred to the said High Power Committee which shall consider and decide the matter strictly in accordance with the Act, 1984 and the Rules, 1998 within a period of one month from the date of production of certified copy of this order, after hearing the parties. It is expected that the High Power Committee will examine each and every aspect of the matter. The decision of the High Power Committee shall be communicated to the petitioners positively.

5. With the aforesaid observations, the writ petitions stand finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Vacation Judge