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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 61 of 2020**

(Arising out of order dated 13.10.2017 passed in Writ Petition (C) No.2655 of 2016 by the learned Single Judge)

The Raipur Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya New Raipur, Raipur Chhattisgarh.
2. State of Chhattisgarh Department of Urban Administration Mahanadi Bhavan, Mantralaya New Raipur, Raipur Chhattisgarh.
3. The Collector Raipur Chhattisgarh.
4. The Sub- Divisional Officer (Revenue) Raipur Chhattisgarh.
5. Jyoti Gugel D/o Late Shri Madhav Singh Gugel Aged About 40 Years R/o Doundi, Police Station Doundi, District Balod Chhattisgarh.

---- Respondents**Writ Appeal No. 45 of 2020**

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Punaram S/o Shri Dukalu Aged About 71 Years R/o Village Dunda, Tahsil And District Raipur Chhattisgarh.

---- Respondents**Writ Appeal No. 51 of 2020**

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority, Raipur Chhattisgarh.

---- Appellants**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.

2. Rukhsana Begum W/o Saeed Khan Aged About 61 Years R/o House No. A 1407, Shanti Residency, Near Amrapali, Society, Pachpedi Naka, Raipur Chhattisgarh. 492001.

---- Respondents

Writ Appeal No. 56 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh
2. Gautam Kakkad S/o Shri Shamsher Singh Kakkad Aged About 34 Years Resident of Major Kakkad House, Katora Talab, Tehsil And District Raipur Chhattisgarh

---- Respondents

Writ Appeal No. 60 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh
2. Kamini Masih C/o Shri A.K. Clive Aged About 61 Years Resident of Quarter No. G-01, District Hospital, Korba Chhattisgarh

---- Respondents

Writ Appeal No. 62 of 2020

Raipur Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Ministry of Town And Country Planning Mantralay, Mahanadi Bhavan, Capital Complex, Naya Raipur, Chhattisgarh.
2. The Sub Divisional Officer-Cum-Land Acquisition Officer Raipur, Chhattisgarh.
3. Smt. Sabita Agrawal W/o Shri Vikas Agrawal Aged About 42 Years R/o Sai Nagar, Zora, Raipur, Tahsil And District Raipur, Chhattisgarh, Civil And Revenue, District Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 68 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Amon Kumar Clive S/o Shri T. Clive Aged About 64 Years R/o Qr. No. G-01, District Hospital, Korba, Chhattisgarh.

---- Respondents

Writ Appeal No. 69 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Smt. Sapna Devi Hirwani W/o Shri Ratan Kumar Hirwani Aged About 59 Years Through Power of Attorney Tarun Meghani, S/o Shri Baldev Megani R/o, Transport Nagar, Korba, Chhattisgarh.

---- Respondents

Writ Appeal No. 79 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Smt. Laxmi Agrawal W/o Shri Naresh Agrawal Aged About 46 Years R/o 6a, Shala Marg, Choubey Colony, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 80 of 2020

1. Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

2. Assistant Revenue Officer, Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Smt. Kaushalya Devi W/o Ramesh Jaswani, Aged About 56 Years R/o Behind Anmol Flats, Avanti Vihar Colony, Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 87 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, 2nd Floor, Bhakta Mata Karma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Collector, District Raipur Chhattisgarh.
2. Mahesh Goyal S/o Shri Dayanand Goyal Aged About 42 Years Resident of A- 34 Wallfort City, Bhatagaon, Raipur , Tahsil And District Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 90 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And PS Mandir Hasaud, Naya Raipur Chhattisgarh
2. Smt. Sunita Gurnani W/o Shri Ashok Gurnani Aged About 53 Years R/o Silver Estate, Kavita Nagar, Raipur, Chhattisgarh

---- Respondents

Writ Appeal No. 91 of 2020

1. The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority Raipur Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir

Hasaud, Naya Raipur Chhattisgarh.

2. Sub Registrar Shaskiya Ayurveda Mahavidyalay Chikitsalay, Near R.K.C. College , Great Eastern Road, Raipur, Chhattisgarh 492010.
3. Mulchand Jain S/o Minalal Jain Aged About 53 Years R/o Near Petrol Pump, Rishabh Construction, Nehru Nagar, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 92 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur, Chhattisgarh.
2. Shri Nilam Kukreja W/o Shri Arun Kukreja Aged About 42 Years R/o Gali No.4 Fafadih, Tahsil And District Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 93 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh
2. Assistant Revenue Officer Raipur Development Authority, Raipur Chhattisgarh

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh
2. S.N Buildcon A Partnership Firm Through Its Partner Naveen Gowri, S/o Late Mohanlal Gawri, Aged About-45 Years, Resident of- Mohanlal Gawri Godown, Gali No. 4, Fafadih Naka, Raipur, Chhattisgarh

---- Respondents

Writ Appeal No. 94 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhavan Mantralaya Naya Raipur Chhattisgarh.

2. The Collector Raipur Chhattisgarh.
3. Sub Divisional Officer (Revenue) Raipur Chhattisgarh
4. Rakesh Kumar Agrawal S/o Shri Narayan Prasad Agrawal Aged About 60 Years R/o Shukrawari Bazar Road, Gudhiyari, Raipur, District Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 95 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralaya, New Raipur Chhattisgarh.
2. State of Chhattisgarh Department of Urban Administration, Mahanadi Bhawan, Mantralay, New Raipur Chhattisgarh.
3. The Collector, Raipur Chhattisgarh.
4. The Sub Divisional Officer (Revenue), Raipur Chhattisgarh.
5. Smt. Rita Dubey, W/o Dr. Rajendra Kumar Dubey, Aged About 44 Years R/o B/12, Staff Quarter, Govt. Dental College, Rajbandha Maidan, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 96 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh
2. Harminder Singh Chawla S/o Late Surjeet Singh Chawla Aged About 75 Years Karta Harminder Singh Chawla HUF, Resident of Govind Nagar, Pandri, Raipur Chhattisgarh

---- Respondents

Writ Appeal No. 97 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Sub Divisional Officer Raipur, Chhattisgarh.
3. Satyavidya Real Estate Pvt. Limited Through Its Director, Arun Agrawal, S/o Shri Satyanarayan Agrawal, Aged About 52 Years, R/o Ward No. 07, Post- Shakti, District Janjgir-Champa, Chhattisgarh

---- Respondents

Writ Appeal No. 98 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Naya Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Ministry of Town And Country Planning, Mantralay, Mahanadi Bhavan, Capital Complex, Naya Raipur, Chhattisgarh.
2. The Sub-Divisional Officer Cum Land Acquisition Officer Raipur, Chhattisgarh.
3. M/s Bhasin Ventures Pvt Ltd A Company Registered Under The Relevant Provisions of The Companies Act, 1956, Through Its Director Shri Ravinder Bhasin, Aged About 44 Years, R/o Bhasin Nivas, Gurunanak Nagar, Telibandha, Raipur, Tahsil And District Raipur, Chhattisgarh.
4. Shri Ravinder Bhasin S/o Rajendra Singh Aged About 44 Years Director M/s Bhasin Ventures Pvt Ltd, R/o Bhasin Nivas, Gurunanak Nagar, Telibandha, Raipur, Tahsil And District Raipur, Chhattisgarh.
5. Stalwart Corporate Services Pvt. Ltd. A Company Registered Under The Relevant Provisions of The Companies Act, 1956, Through Its Director Shri Basant Daulatani, S/o Shri Bhajan Lal Daulatani, Aged About 40 Years, R/o Q-41, Sector-2, Avanti Vihar, Raipur, Chhattisgarh.
6. Shri Basant Daulatani S/o Shri Bhajan Lal Daulatani Aged About 40 Years Director of Stalwart Corporate Services Pvt. Ltd. R/o Q-41, Sector-2, Avanti Vihar, Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 99 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh
2. Assistant Revenue Officer Raipur Development Authority, Raipur, Chhattisgarh

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh
2. Hardip Singh Haiyar S/o Mohinder Singh Haiyar Kakkad Aged About 45 Years

R/o House No. 1/10, Govind Nagar, In Front of Gurudwara, Pandri, Raipur, Chhattisgarh

---- Respondents

Writ Appeal No. 100 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Smt. Varsha Jethwani W/o Shri Suresh Jethwani Aged About 41 Years R/o Rajiv Nagar, Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 101 of 2020

1. Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer, Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Sub Divisional Officer, Raipur, Chhattisgarh.
3. Satyavidya Real Estate Pvt. Limited Through Its Director, Arun Agrawal, S/o Shri Satyanarayan Agrawal, Aged About 52 Years R/o Ward No. 07, Post - Shakti, District - Janjgir - Champa Chhattisgarh.

---- Respondents

Writ Appeal No. 106 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.

2. M/s Acecon Enterprises (India) Private Limited Through Director Smt. Nisha Goyal, W/o Shri Amit Goyal, Aged About 42 Years, Regd. Office 1- 303, Ashoka Hight, Mova, Raipur, Chhattisgarh

---- Respondents

Writ Appeal No. 107 of 2020

1. Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer, Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Smt. Kshama Tekriwal W/o Shri Sunil Tekriwal Aged About 46 Years R/o - H I G A 32, Shankarnagar, Raipur, Chhattisgarh, Through Power of Attorney Ratnesh Kumar Agrawal, Aged About - 41 Years S/o R. K. Agrawal, R/o Kankalipara, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 115 of 2020

1. The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial, Complex New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority Raipur Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur, Chhattisgarh
2. Sub Registrar Shaskiya Ayurveda Mahavidyalay Chikitsalay, Near R.K.C. College Great Eastern Road, Raipur, Chhattisgarh 492010.
3. Satish Jain S/o Late Devichand Jain Aged About 42 Years R/o Near Police Petrol Pump, Rishabh Construction, Nehru Nagar Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 119 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakta Mata Karma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Collector, District Raipur, Chhattisgarh.

2. Smt. Kumud Agrawal W/o Late J.K. Agrawal Aged About 48 Years R/o Agrawal Para, Aarang, District Raipur, Civil And Revenue District Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 123 of 2020

1. The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer, Raipur Development Authority, Raipur Chhattisgarh

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And PS Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Sub Divisional Officer (Revenue), Raipur Chhattisgarh.
3. Jagdish Verma, S/o Late K.C. Verma, Aged About 58 Years R/o Satkar Hotel Gali, Narmadapara, Station Road, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 124 of 2020

1. The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority, Raipur Chhattisgarh

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya , Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Amanpreet Singh Anand (Karta) S/o Late Tejinder Singh Anand Aged About 30 Years Huf, R/o Gp -1, Shailendra Nagar, Raipur, Chhattisgarh 492001.

---- Respondents

Writ Appeal No. 125 of 2020

The Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

Smt. Kusum Sharma W/o Shri Shivkumar Sharma, Aged About 40 Years R/o Mahoba Bazar, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Respondent

Writ Appeal No. 126 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralay, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Kishan Sahu S/o Late Bhunshwar Sahu Aged About 37 Years R/o- Village - Dunda, Tahsil And District Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 127 of 2020

1. The Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority Raipur Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur, Chhattisgarh.
2. Sub Registrar Shaskiya Ayurveda Mahavidyalay Chikitsalay, Near R. K. C College, Great Eastern Road, Raipur, Chhattisgarh. 492010
3. Shantilal Jain S/o Late Mangilal Jain Aged About 54 Years R/o In Front of Petrol Pump, Rishabh Construction, Nehru Nagar, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 128 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Raipur Development Authority, Naya Raipur, Post office And Police Station Naya Raipur District Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Town And Country Planning, Mahanadi Bhawan, Mantralaya, Naya Raipur, Post office And Police Station Naya Raipur, District Raipur Chhattisgarh.
2. Sub Divisional Officer Cum Land Acquisition Officer Raipur Chhattisgarh.
3. Smt. Madhulika Sahu W/o Ashok Kumar Sahu Aged About 48 Years R/o Behind Durga Mandir, Odiya Para, Saraipali, Tahsil And Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondents

Writ Appeal No. 129 of 2020

1. The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority Raipur Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And PS Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Sub Registrar Shaskiya Ayurveda Mahavidyalay Chikitsalay, Near R.K.C College, Great Eastern Road, Raipur, Chhattisgarh 492010
3. Smt. Anjana Gothi, W/o Shri Tikamchand, Aged About 52 Years R/o Near Petrol Pump, Rishabh Construction, Nehru Nagar, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 130 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Prakash Pahuja S/o Shri Anshiram Pahuja Aged About 46 Years R/o Naharpara, Raipur Chhattisgarh.
3. Mukesh Pahuja S/o Shri Anshiram Pahuja Aged About 36 Years R/o Naharpara, Raipur Chhattisgarh

---- Respondents

Writ Appeal No. 131 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh.
2. Dilip Jain S/o Shri Tarachand Jain Aged About 48 Years R/o Ramsagarpara, Raipur, Chhattisgarh, Through Power of Attorney Ganesh Prasad Agarwal, S/o

Late Shri Gulabrai Agarwal, Aged About 55 Years, R/o 29/514, Shriram Nagar, Shankar Nagar, Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 132 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, 2nd Floor, Bhakta Mata Karma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, District Raipur, Chhattisgarh.
2. Tejram Sahu S/o Shri Rikhiram Sahu Aged About 40 Years R/o Ward No. 51, Bijhwarin Chowk, Lalpur Bindrawangarh, Raipur, Chhattisgarh.
3. Pawan Kumar Sahu S/o Shri Rikhiram Sahu Aged About 47 Years R/o Ward No. 51, Bijhwarin Chowk, Lalpur Bindrawangarh, Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 133 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Naya Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Ministry of Town And Country Planning, Mantralay, Mahanadi Bhavan, Capital Complex, Naya Raipur Chhattisgarh.
2. The Sub Divisional Officer Cum Land Acquisition Officer Raipur Chhattisgarh.
3. Shri Nalin Sharma S/o Shri Ashok Kumar Sharma Aged About 46 Years R/o Vallabh Nagar, Near House Mathka, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 136 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur, Chhattisgarh.
2. Smt. Mahak Wadhwani W/o Shri Amrit Wadhwani Aged About 33 Years R/o D/45, Sector-4 Devendra Nagar, Tahsil And District Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 137 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Dipak Kumar Agrawal S/o Shri Kunnuram Agrawal Aged About 38 Years R/o Main Road, Tehsil And District Katabhanji Orrisa.

---- Respondents

Writ Appeal No. 138 of 2020

The Raipur Development Authority, Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Amisha In Sky Creation Pvt. Ltd., Through Director, Akhilesh Agrawal, Aged About 53 Years, S/o Late R. L. Agrawal, R/o Awanti Nagar, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 139 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Mixed Complex, New Rajendra Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Ministry of Town And Country Planning, Mantralay, Mahanadi Bhavan, Capital Complex, Naya Raipur, District- Raipur, Chhattisgarh.
2. The Commissioner Raipur Division, Raipur, District- Raipur, Chhattisgarh.
3. Ruchika Singhaniya D/o Pradeep Kumar Singhaniya Aged About 30 Years Through Its General Power of Attorney Holder Namely- Pradeep Kumar Singhaniya, S/o Late Kishan Lal Singhaniya, Aged About- 60 Years, R/o Singhaniya Bhavan, Shubhash Road, Near Telghani Naka, Ganjpara, Raipur, District- Raipur, Chhattisgarh.

---- Respondents

Writ Appeal No. 148 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And P S Mandir Hasaud, Raipur Chhattisgarh.
2. Smt. Sonali Panda, W/o Shri R.K. Panda, Aged About 36 Years R/o House No. 236, Sunder Nagar, Tehsil And District Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 149 of 2020

The Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And PS Mandir Hasaud, Naya Raipur Chhattisgarh.
2. Abdul Aziz Son of Abdul Jalil Aged About 47 Years R/o Main Road, Sanjay Nagar, Tikrapara, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 150 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Assistant Revenue Officer Raipur Development Authority, Raipur, Chhattisgarh.

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Rukhsana Begum W/o Saeed Khan Aged About 61 Years R/o House No. A 1407, Shanti Residency, Near Amrapali Society, Pachpedi Naka, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 151 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor,
Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur
Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh
2. S. N. Buildcon A Partnership Firm Through Its Partner Naveen Gowri, S/o Late Mohanlal Gawri, Godown, Gali No. 04, Fafadih Naka, Raipur Chhattisgarh

---- Respondents

Writ Appeal No. 155 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor,
Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur,
Chhattisgarh

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur, Chhattisgarh
2. Sub Divisional Officer (Revenue) And Land Acquisition Officer, Raipur, Chhattisgarh
3. J. P. Grih Nirman Cooperative Society Limited Dunda, Through President Xavier Prakash, S/o Masih Prakash, A/o 48 Years, R/o- Near Durga Mata Mandir, Katora Talab, Raipur, Chhattisgarh

---- Respondents

Writ Appeal No. 156 of 2020

1. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.
2. Additional Chief Executive Officer, Raipur Development Authority, Raipur Chhattisgarh

---- Appellants

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Naresh Chandra Agrawal, S/o Late Chauthmal Agrawal, Aged About 51 Years R/o House No. 69, North Avenue, Choubey Colony, Raipur Chhattisgarh.
3. Vikas Agrawal, S/o Shri Prakash Chandra Agrawal, Aged About 34 Years R/o

House No. 69, North Avenue, Choubey Colony, Raipur Chhattisgarh.

4. Rajesh Agrawal, S/o Shri Parmeshwar Lal Agrawal Aged About 47 Years R/o House No. 69, North Avenue, Choubey Colony, Raipur Chhattisgarh.

---- Respondents

Writ Appeal No. 157 of 2020

Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh Through The Secretary, Department of Housing And Environment, Mahanadi Bhavan, Mantralay, Post And Police Station Mandir Hasaud, Raipur Chhattisgarh.
2. Sub Divisional Officer (Revenue) And Land Acquisition Officer, Raipur Chhattisgarh.
3. Smt. Bhanwati, Wd/o Thakur Ram Sahu, Aged About 60 Years R/o Village Devpuri, Block Dharsinva, District Raipur Chhattisgarh.

---- Respondent

For Appellant	: Shri Animesh Tiwari, Advocate.
For Respondent/State	: Shri Vikram Sharma, Deputy Government Advocate.
For Private Respondents	: Shri Praveen Das, Shri Ankur Agrawal, Shri Varun Sharma and Shri Ashish Surana, Advocates.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice

Hon'ble Shri Parth Prateem Sahu, Judge

Judgment on Board

Per P.R. Ramachandra Menon, Chief Justice

06.02.2020

1. These appeals have been preferred by the Raipur Development Authority (hereinafter referred to as 'RDA'), who was the Respondent in the writ petitions concerned, which came to be finalized as per judgments passed grouping the cases in different lots on different dates, virtually with reference to the same sequence of events and outcome.

2. The verdict passed by the learned Single Judge is put to attack on various grounds; that the judgment came to be rendered on the basis of a 'concession on a question of law', which cannot be a bar insofar the proceedings of the writ Court are concerned and that the merits involved in the case, in the light of the reply filed by the RDA, was never caused to be considered. Reference is made to the illegal colonization which would come under the jurisdiction of the Municipal Corporation, to be considered and decided in terms of Section 292C and 292E of the Chhattisgarh Municipal Corporation Act, 1956.
3. Admittedly, all these appeals are highly belated by 698-769 days of delay in filing the same and hence, the delay is sought to be condoned by filing separate IAs.
4. Heard Shri Animesh Tiwari, the learned counsel for the Appellant-RDA, Shri Vikram Sharma, the learned Deputy Government Advocate representing the State, as well as Shri Praveen Das, Shri Ankur Agrawal, Shri Varun Sharma and Shri Ashish Surana, Advocates for the private Respondents.
5. Writ Appeal No.61 of 2020 arising from the verdict dated 13.10.2017 passed in Writ Petition (C) No.2655 of 2016 is taken as the lead case and the pleadings and proceedings are referred to as given therein, except where it is separately mentioned depending upon the context.
6. Firstly coming to the delay aspect, there is inordinate delay in filing the appeals, which is sought to be condoned. The reasons stated in the IA dated 07.01.2020 for condoning the delay, as given in paragraph-2, is that there is no negligence on the part of the Appellant and that the Appellant had to get departmental clearances, which is a 'bonafide mistake' to be condoned, simultaneously adding in paragraph-3 that, if the delay is not condoned, irreparable loss would be caused to the Appellant. The

contentions are almost similar in the petitions filed in the connected appeals as well.

7. When Writ Appeal No.45 of 2020 came up for consideration on 16.01.2020, this Court observed that the delay of 718 days therein was not explained properly, when the learned counsel for the Appellant sought for time to file an affidavit explaining the delay in a better manner, also giving the dates and events in a chronological order. Accordingly, an affidavit dated 17.01.2020 has been filed (in Writ Appeal No.56 of 2020). The learned counsel for the Appellant submits that non-filing of the affidavit in other connected cases might not be taken as a bar in considering the merit, though no 'adopting memo' has been filed, since the reason is common and there is no dispute with regard to the factual sequence from the part of the Appellant.
8. Paragraph-2 of the above affidavit says that the verdict passed by the learned Single Judge required to be scrutinized minutely by the Department with reference to granting of land to the private Respondents, as there was some instances of illegal plotting of lands which were left for the purpose of road, garden, etc., by virtue of which, no final agreement could be concluded. It is repeated in paragraph-3 as well, with reference to the names of some persons who had allegedly sold the land to some others as small extents. The Appellant submits that information was called for as to the registered sale deeds from the revenue authorities and after receiving the information from the revenue authorities, the maps enclosed along with the registered sale deed were minutely examined, when was it revealed that the above mentioned land parcels were a part of illegal plotting.
9. In paragraph-4 of the affidavit, it is stated that the above exercise virtually took nearly eight months and various interdepartmental co-ordination and

communications had to be pursued between different Government Functionaries/Departments. It was thereafter, that a decision was taken by the State Government on 30.08.2018 to prefer appeal against the verdict passed by the learned Single Judge, as given in paragraph-5. In the next paragraph, it is stated that, based on the legal advise, another decision was taken on 28.09.2018 to file a review petition against the judgment as borne by Annexure 'A' and accordingly, Review Petition bearing No.125 of 2018 was filed on 23.10.2018 to review the judgment. It is pointed out that the prayer for review was turned down and the review petition was disposed of only by 'extending the time for compliance' of the direction till 31.03.2019.

10. The Appellant further points out in paragraph-8 of the said affidavit that since the Appellant-Department was unable to comply with the order even within the extended time, MCC No.355 of 2019 was preferred for granting of further extension of time. This was considered by the learned Single Judge and the prayer was allowed as per order dated 08.05.2019, granting extension up to 30.06.2019 to comply with the order. Paragraph-9 of the affidavit reveals the somersault made by the Appellant whereby the Board of Directors took a decision on 17.10.2019 to prefer writ appeal against the verdict passed by the learned Single Judge as per Annexure 'B' and this is stated as the reason for the inordinate delay of nearly or nearly two years, which is sought to be condoned.
11. The prayer is vehemently opposed from the part of the private Respondents pointing out that, there is absolutely no merits or bonafides, as the sequence of events clearly discernible from the verdict of the learned Single Judge. In some of the cases, particularly, Writ Appeal No.61 of 2020 and Writ Appeal No.95 of 2020, it is stated that the judgment passed by the learned Single Judge has been complied with by executing a final

agreement and allotting the notified plots to the writ Petitioners, by virtue of which, no further grievance stands as on date. In some of the cases, it is pointed out by the learned counsel for the writ Petitioners/private Respondents that, though final agreements have been executed, possession has not been handed over and 'No Objection Certificate' has not been given, by virtue of which, the parties are not in a position to enjoy the property with free hands. In the remaining cases, the proceedings are still to be finalized and it is only with the dishonest intention, the appeals have been filed, just to protect things and to wriggle out of the action for contempt.

12. In the course of the arguments, this Court has come to note that the alleged plea of colonization as now put forth and as to the sale of plots to some other persons in small extents (which were intended for the purpose of road, garden etc.) was the case projected by the Appellant/RDA before the learned Single Judge as well. This, according to the private Respondents in Writ Appeal No.61 of 2020, is absolutely without any basis as the position was made clear by the revenue authorities years back, to the effect that the allegation of alleged colonization and the sale of lands were not supported by any documents maintained by the revenue. Reference is also made to Annexure P/11 and Annexure P/13 produced along with the writ petition, to show that, pursuant to the doubt expressed by the RDA, a report was called for and a special Committee was constituted to consider the matter and submit a report, which clearly revealed that the claim of the RDA was not substantiated. The Committee consisting of high dignitaries from different corners had opined to proceed with further steps to cause the final agreements to be executed and to allot plots to the beneficiaries concerned.
13. Considering the serious lapse on the part of the RDA, the learned Single

Judge passed an order on 04.10.2017 (and on such other dates in different writ petitions) in the following terms :

“Shri Praveen Das & Shri Sameer Uraon, counsel for the petitioner.

Shri Pankaj Agrawal, counsel for respondent No.1 in WPC No.2656/2016.

Shri Ashish Shrivastava, counsel for respondent No. 3.

Shri Gary Mukhopadhyaya, Dy. Govt. Advocate for the State.

Shri M.D. Kawre, C.E.O., Raipur Development Authority is present in person.

Respondent No.1 - Secretary, Department of Housing and Environment and Respondent No. 3- Chief Executive Officer, Raipur Development Authority will file affidavit as to why the petitioner is not being given final allotment letter and why it is not being registered. The said affidavit must be filed within a period of two weeks from today.

List this case on 13th October, 2017. On that date, respondents No. 1 and 3 shall remain present along with the record to assist the Court.”

As per the said order, the Chief Executive Officer, Raipur Development Authority was directed to file an affidavit as to why the writ Petitioner was not being given final allotment letter and why it was not being registered.

14. Pursuant to the said direction, an affidavit dated 11.10.2017 was filed by the Chief Executive Officer, Raipur Development Authority, wherein it was conceded in 'paragraph-3' that the Petitioner's land was acquired by the RDA for implementation of the Development Scheme, by name 'Kamal Vihar Scheme No.4', on initial agreement dated 13.02.2013 to acquire the said property and to allot the identified plot to the Writ Petitioner, after developing the property. The delay was caused to be explained as given in paragraph-4 and 5, which is to the following effect :

“4. That it is respectfully stated herein that upon further enquiry conducted by the Revenue Officers it

was found that the some plots including that of petitioner's aforementioned land which were proposed to be allotted to the beneficiaries were marked as Road (Raasta). It is submitted therein that as per the Reports/letters of the Revenue Officers dated 22-01-2014 and 10-02-2014 it was found that the land owned by the petitioner i.e. Kh. No.407/6 and various other small plots which were acquired and are part of Development Scheme under Town Development Scheme No.4. (Kamal Vihar) were the land which are sold in different small parts and marked as road/open space for road by the State Government. Because of which petitioner could not be allotted developed plot particularly plot no. A/42 as claimed by the petitioner.

5. That it is respectfully stated before the Hon'ble Court that clause (f) of the agreement dated 11-03-2012 executed on 22-03-2012 between the petitioner and Respondent No.3 states that conclusive/final agreement may be executed between the RDA and land owner within 3 months from the date of release of Notification of full completion of the said scheme i.e. Town Development Scheme No.4 (Kamal Vihar). It is humbly stated that Town Development Scheme No.4 (Kamal Vihar) has not been completed and it will take some time to conclude the said scheme and as soon as aforesaid scheme is concluded that Respondent No.3 RDA will executes final agreement with the petitioner and other similarly situated persons within 3 months from the date of completion of the said scheme, in accordance with the terms and condition of the preliminary agreement.”

15. From the above, it is clear that the RDA was very much aware of the same reason now offered to condone the delay in filing the appeal i.e. the alleged illegal colonization and sale of plots by the persons concerned as small plots to various persons, which in fact were marked for road/open spaces and such other mitigating circumstances.
16. As stated in paragraph-5 of the affidavit, it is pointed out that, to complete the proceedings/formalities, it will take some more time and when the scheme is concluded, Respondent No.3 will execute the final agreement with the writ Petitioners and other similarly situated persons 'within three months' from the date of completion of the such steps as per the terms and conditions in the preliminary agreement.

17. The writ petition came up for further consideration before the learned Judge on 13.10.2017 when it was disposed of in the following terms :

“(1) Mr. Ashish Shrivastava and Mr. Pankaj Agrawal, learned counsel appearing for the respective respondents on instruction would submit that the final allotment letter will be issued to the petitioners within a period of one year from today.

(2) The aforesaid statement is taken on record.

(3) Presence of Ms. Regina Toppo, Addl. Secretary, Department of Housing and Environment, Raipur and Mr. Mahadev Kawre, CEO, Raipur Development Authority, Raipur are dispensed with.

(4) Affidavit filed by Raipur Development Authority, Raipur is also taken on record.

(5) In view of above submissions made by learned counsel appearing for the respective respondents, the instant writ petitions are disposed of.”

From the above, it is quite clear that the submission/undertaking was made from the part of the Appellant/RDA before the Court that the final allotment letter will be issued to the Writ Petitioners within one year from that date i.e. 13.10.2017. The affidavit filed by the RDA, as mentioned above, was also taken on record and the personal presence of the various Officers who were present in the Court was also dispensed with. It was accordingly, that the writ petitions were disposed of. Similar verdicts have been passed in the other cases as well.

18. The above discussion clearly shows that the reason now offered to condone the inordinate delay of about 700 or more days in preferring the appeals is not something new; which in fact was very much known to the Appellant way back in 2017 as well, when the matters were finalized by the writ Court. That apart, in the affidavit dated 17.01.2020 filed in Writ Appeal No.56 of 2020, though a decision was taken way back on 30.08.2018 to prefer appeal against the judgment dated 04.12.2017, a different course was found to be more appropriate by causing a review petition to be filed as per

'Annexure A' letter dated 28.09.2018. The review petition came to be dismissed on 23.10.2018, however extending time till 31.03.2019. It was in the said circumstance that, a conscious decision was taken to have the same implemented, but since further time was required, it was sought for by filing MCC No.355 of 2019. Considering the prayer as genuine, the learned Single Judge allowed the said MCC as per order dated 08.05.2019, granting time till 30.06.2019. It is thereafter that a 'U' turn has now been taken by the Appellant, as per decision taken by the Board of Directors on 17.10.2019, to prefer appeal against the original verdict passed by the learned Single Judge on 04.12.2019 (on such other dates in the connected cases). The sequence of events clearly shows that the Appellant is simply playing 'hide and seek game'. There is no consistency with regard to the course and events and no earnest efforts are taken to give effect to the 'undertaking' given before the Court to comply with the requirements as stated in the affidavit and the assurance given when the matter was finalized.

19. In the above circumstances, we hold that the explanation offered to condone delay is not liable to be accepted as a reasonable explanation; much less anything satisfactory. With regard to the merits as well, the matters were finalized by the learned Single Judge based on the 'assurance and undertaking' given by the learned counsel on behalf of the RDA, which was supported by an affidavit as discussed above, assuring that the matter will be finalized causing execution of final agreements and handing over of the developed plots. This alone was recorded and the matters were disposed of by the learned Single Judge. The Appellants have miserably failed in demonstrating how and in what manner the learned Single Judge has gone wrong. We cannot but hold that this is nothing but an abuse of the process of the Court and as such, consequences shall follow, based on the principle

that cost shall follow the cause. However, considering the persuasive submission made by Shri Animesh Tiwari, the learned counsel appearing for the Appellant/RDA, we reluctantly refrain from awarding any cost.

20. The applications to condone delay and the appeals stand dismissed as devoid of any merit.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Parth Prateem Sahu)
JUDGE

Anu