CGHC010378262026 2026:CGHC:43947

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5206 of 2026

1 - Rohit Kumar Sinha S/o Bhagvat Prasad Sinha Aged About 44 Years R/o 248, Patankar Colony, Durg (C.G.) 491001 Proprietor Shop No. 54 Ravishankar Stadium, Durg (C.G.)

RAVVA UTTEJ KUMAR RAJU

--- **Petitioner**

Versus

1 - State of Chhattisgarh Through- Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (Chhattisgarh)

2 - State of Chhattisgarh Through- Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (C.G.)

3 - Jila Kridangan Nirman Samiti Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

--- **Respondents**

WPC No. 5212 of 2026

1 - Riyazuddin Qureshi S/o Shri B.D. Qureshi, Aged About 55 Years R/o Near Sahu Sadan, Kelabadi, Durg Tahsil And District Durg (C.G.) 491001 Proprietor Shop No. 79. Ravishankar Stadium, Durg Dist.-Durg (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur Dist- Raipur (Chhattisgarh)

2 - State Of Chhattisgarh Through Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur Dist- Raipur (Chhattisgarh)

3 - Jila Kridangan Nirman Samiti Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And District Durg (C.G.)

5 - Sub-Divisional Officer (Revenue) Cum Secretary Jila Kridangan Nirman Samiti Durg, Tahsil And District Durg (C.G.)

--- **Respondents**

WPC No. 5211 of 2026

1 - Mo. Yunus S/o Kutubuddin Aged About 55 Years R/o Near Maszid, Kelabadi Ward No. 40 Durg Proprietor Shop No. 99 Ravishankar Stadium, Durg (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through - Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (Chhattisgarh)

2 - State Of Chhattisgarh Through - Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (C.G.)

3 - Jila Kridangan Nirman Samiti Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And District Durg (C.G.)

5 - Sub-Divisional Officer (Revenue) Cum Secretary Jila Kridangan Nirman Samiti Durg, Tahsil And District Durg (C.G.)

--- **Respondents**

WPC No. 5209 of 2026

1 - Hardeep Singh Dhunna S/o Daljeet Singh Dhunna Aged About 33 Years R/o House No. 10 Kh Ward 58, Katulboard, Harinagar Saf Line Bhilai, Distt. Durg, Chhattisgarh, 490022 Proprietor Shop No. 53 Ravishankar Stadium, Durg, Chhattisgarh.

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar, Naya Raipur, Chhattisgarh.

2 - State Of Chhattisgarh Through Secretary, Department Of Public Works Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raipur, Chhattisgarh.

3 - Jila Kridangan Nirman Samiti Reg. No. 3645 Ravishankar Stadium, Durg, Tahsil And Distt. Durg, Chhattisgarh.

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And Distt. Durg, Chhattisgarh.

5 - Sub Divisional Officer (Revenue) Cum Secretary Jila Kridangan Nirman Samiti Durg, Tahsil And Distt. Durg, Chhattisgarh.

--- **Respondents**

WPC No. 5205 of 2026

1 - Rishi Kumar Katre S/o Digambar Katre Aged About 57 Years R/o Subhash Nagar Raod Ward 53, Near Kamre Atta, Chakki, Potiya, Chowk Durg Proprietor Shop No. 49-50, Ravishankar Stadium, Durg Chhattisgarh.

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan Mantralaya, Atal Nagar Nava Raipur Chhattisgarh.

2 - State Of Chhattisgarh Through Secretary Department Of Publice Work Department Mahanadi Bhawan Mantralaya Atal Nagar Nava Raipur Chhattisgarh.

3 - Jila Kridangan Nirman Samiti Reg. No. 3645, Ravishankar Stadium, Durg Tehsil And District Durg Chhattisgarh.

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti Pt. Ravishankar Stadium, Durg Tehsil And District Durg Chhattisgarh.

5 - Sub Divisional Officer Revenue Cum Secretary Jila Kridangan Nirman Samiti Durg Tehsil And District Durg Chhattisgarh.

--- **Respondents**

WPC No. 5197 of 2026

1 - Abdul Salim Qureshi S/o Mohammad Ishak Qureshi, Aged About 77 Years R/o House No. 173 Street 05 Kasaridih Subhash Nagar, Durg Tahsil

And District Durg (C.G.) 491001 Proprietor - Shop No. 80 Premises Of Pt. Ravishankar Stadium, Durg. Dist. Durg (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through - Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (Chhattisgarh)

2 - State Of Chhattisgarh, Through - Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raiipur (C.G.)

3 - Jila Kridangan Nirman Samiti, Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And District Durg (C.G.)

5 - Sub-Divisional Officer (Revenue) Cum Secretary, Jila Kridangan Nirman Samiti Durg, Tahsil And District Durg (C.G.)

--- **Respondents**

WPC No. 5196 of 2026

1 - Ghanshyam Singh Khichariya S/o Dular Singh Khichariya, Aged About 70 Years R/o S A F Line Bhilai Durg, Tahsil And District Durg (C.G.) 491001 Proprietor- Shop No. 52 Ravishankar Stadium, Durg (C.G.)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through - Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur (Chhattisgarh)

2 - State Of Chhattisgarh, Through - Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, Nava Raiipur (C.G.)

3 - Jila Kridangan Nirman Samiti, Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And District Durg (C.G.)

5 - Sub-Divisional Officer (Revenue) Cum Secretary, Jila Kridangan Nirman Samiti Durg, Tahsil And District Durg (C.G.)

--- **Respondents**

WPC No. 5194 of 2026

1 - Sheikh Ibrahim S/o Sheikh Burjahan Aged About 57 Years R/o C H 539, Aditya Nagar, Durg C. G. 491001, Propietor, Shop No. 47, Ravishankar Stadium Durg Chhattisgarh.

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary Department Of Revenue And Disastrous Mangement Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur Chhattisgarh.

2 - State Of Chhattisgarh Through - Secretary Department Of Publice Work Department Mahandi Bhawan Mantralaya Atal Nagar Nava Raipur Chhattisgarh.

3 - Jila Kridangan Nirman Samiti Reg. No. 3645, Ravishankar Stadium Durg Tehsil, And District Durg Chhattisgarh.

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg Tehsil And District Durg Chhattisgarh.

5 - Sub Divisional Office Revenue Cum Secretary Jila Kridangan Nirman Samiti Durg, Tehsil And District Durg Chhattisgarh.

--- **Respondents**

WPC No. 5214 of 2026

1 - Sheikh Minzamin S/o Late Sheikh Hakim Aged About 25 Years R/o M.I.G 787 Ward 43, Padmanabhpur, Durg (C.G.) Proprietor Shop No. 55 Ravishankar Stadium, Durg (C.G)

---**Petitioner**

Versus

1 - State Of Chhattisgarh Through- Secretary Department Of Revenue And Disastrous Management Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur Dist- Raipur (Chhattisgarh)

2 - State Of Chhattisgarh Through Secretary, Department Of Public Work Department, Mahanadi Bhawan, Mantralaya, Atal Nagar Nava Raipur Dist- Raipur (Chhattisgarh)

3 - Jila Kridangan Nirman Samiti Reg. No. 3645 Ravishankar Stadium, Durg Tahsil And District Durg (C.G.)

4 - District Collector Cum Chairman Jila Kridangan Nirman Samiti, Pt. Ravishankar Stadium, Durg, Tahsil And District Durg (C.G.)

5 - Sub-Divisional Officer (Revenue) Cum Secretary Jila Kridangan Nirman Samiti Durg, Tahsil And District Durg (C.G.)

--- Respondents

(Cause title is downloaded from CIS Periphery.)

For Petitioner	:	Mr. Uttam Chand, Advocate.
For State	:	Mr. Anway Tiwari, P.L.

Hon'ble Mr. Justice Amitendra Kishore Prasad
Order on Board

12.10.2026

1. At the outset, learned counsel for the petitioners submits that the defects pointed out by the Registry in WPC No. 5206/2026 and WPC No. 5214/2026 have been cured.
2. The Registry is directed to verify the same and proceed further in accordance with law.
3. Heard on Mr. Uttam Chand, learned counsel for the respective petitioners in WPC No. 5206/2026, WPC No. 5214/2026, WPC No. 5194/2026, WPC No. 5196/2026, WPC No. 5197/2026, WPC No. 5205/2026, WPC No. 5209/2026, WPC No. 5210/2026 & WPC No. 5217/2026 and Mr. Anway Tiwari, Panel Lawyer appearing for the State.
4. Since all these writ petitions involve an identical challenge to the same action of the respondent authorities and arise out of the same set of facts, they are being heard and decided by this common order. The petitioners are aggrieved by the impugned pre-eviction notice dated 25.06.2026 issued by the Secretary & Sub-Divisional Officer (Revenue), Jila Kridangan Samiti, District Durg (C.G.), whereby they have been directed to vacate their respective shops on or before 24.07.2026. The impugned notice has been issued on the basis of a report submitted by the Public Works Department stating that the commercial shops allotted to

the petitioners have become old and are in a dilapidated condition, rendering them unsafe for occupation and use. It has further been stated in the notice that in the event the petitioners fail to vacate the premises within the stipulated period, they shall be evicted with the assistance of the district administration and the expenditure incurred in carrying out such eviction shall be recovered from the petitioners by initiating revenue recovery proceedings.

5. Assailing the aforesaid pre-eviction notice, learned counsel appearing for the petitioners submit that the respondent authorities have acted arbitrarily and in complete disregard of the principles of natural justice by issuing the impugned notice without affording any meaningful opportunity of hearing or considering any alternative arrangement for rehabilitation of the shopkeepers. It is contended that the petitioners have been carrying on their business from the allotted shops for several years and their livelihood is entirely dependent upon the said establishments. According to the petitioners, the impugned action, if implemented, would deprive them of their only source of livelihood and is, therefore, violative of their fundamental rights guaranteed under Articles 19(1)(g) and 21 of the Constitution of India. They have, accordingly, invoked the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution seeking quashment of the impugned notice and appropriate consequential reliefs.

6. Learned counsel appearing for the parties jointly submit that the controversy involved in the present batch of writ petitions is no longer res integra, as the identical issue arising out of the very same pre-eviction notice dated 25.06.2026 has already been considered and decided by this Court in WPC No.3730/2026 and other connected matters, decided by a common order dated 23.07.2026. It is submitted that the present writ petitions are squarely covered by the said decision and, therefore, deserve to be disposed of in terms thereof.

7. This Court, while disposing of WPC No.3730/2026 and analogous cases vide common order dated 23.07.2026, observed as follows:–

> *"10. Having heard learned counsel for the parties and upon perusal of the record, it emerges that the petitioners are occupying their respective shops pursuant to allotment orders/agreements executed by the competent authority on payment of monthly rent. It is not in dispute that the petitioners have been carrying on their respective businesses from the said shops for nearly two decades or more, and for many of them the shops constitute their principal source of livelihood. It is also borne out from the material placed on record that the commercial complex in which the shops are situated has been reported by the Public Works Department to be in a dilapidated and unsafe condition requiring demolition and reconstruction.*
>
> *11. There can be no quarrel with the proposition that the petitioners do not possess any vested or indefeasible right to continue in occupation of the shops indefinitely. Equally, however, the State and its instrumentalities, while taking action for eviction in public interest, are expected to act in a manner that is fair, reasonable and consistent with constitutional values. The petitioners have been carrying on their business from the premises for a considerable period of time and their livelihood is directly dependent upon the said establishments. Directing them to vacate the premises during the*

rainy season, without affording them a reasonable opportunity to make alternative arrangements or to resettle their business, would result in undue hardship.

12. The State, being a welfare State, is expected to balance public interest with the legitimate concerns of citizens whose livelihood is likely to be affected by administrative action. While ensuring public safety by removing occupants from an unsafe structure is undoubtedly a legitimate objective, the authorities cannot ignore the consequences that such action may have upon the livelihood of the petitioners. The record reveals that the petitioners have submitted representations requesting reasonable time and appropriate rehabilitation or alternative arrangements. The said representations deserve due consideration before any coercive action is undertaken.

13. Article 19(1)(g) of the Constitution of India guarantees to every citizen the fundamental right to practise any profession or to carry on any occupation, trade or business, subject to reasonable restrictions imposed in the interest of the general public under Article 19(6). The right to livelihood has also been recognized as an integral facet of the right to life guaranteed under Article 21 of the Constitution. Although the petitioners cannot insist upon continuation of their occupation contrary to law, the procedure adopted for their eviction must be fair, reasonable and non-arbitrary so as to adequately safeguard their constitutional rights.

14. Considering the totality of the circumstances, particularly the long-standing occupation of the petitioners, the fact that their businesses constitute their primary source of livelihood, and the prevailing rainy season, this Court is of the considered opinion that the ends of justice would be adequately served by directing the respondents to reconsider the representation of the petitioners with a hope of alternative arrangements by the petitioners for shifting their respective establishments.

15. Accordingly, Respondent No. 3-Secretary and Sub-Divisional Officer (Revenue), Jila Krindangan Samiti Durg, District Durg C.G. is directed to reconsider the representations submitted by the petitioners for providing alternative arrangements to petitioners for running their shops or to pass appropriate reasoned orders thereon, after affording them an opportunity of hearing, within a reasonable period. The respondents shall also consider providing reasonable assistance, or any other lawful

> *arrangement to facilitate the petitioners in shifting their business establishments. It is further directed that no coercive action for eviction shall be taken against the petitioners for a period of* ***four months*** *from the date of this order. However, it is made clear that, since the shops have been found to be in a dilapidated condition, the petitioners may continue to carry on their business therein for a period of four months at their own risk and cost. In the event of any mishap or untoward incident occurring during this period, the petitioners alone shall be solely responsible for the consequences thereof. The State and its authorities shall bear no liability or responsibility for any such mishap or incident. Upon expiry of the said period, it shall be open to the respondents to proceed in accordance with law.*
>
> *16. With the aforesaid observations and directions, all the writ petitions stand disposed of.*
>
> *17. It is made clear that this Court has not expressed any opinion on the merits of the rival claims of the parties. The present order has been passed only with a view to balance the competing public interest of ensuring public safety with the petitioners' need for reasonable time to make alternative arrangements for their livelihood."*

8. Having considered the rival submissions advanced by learned counsel appearing for the respective parties and upon perusal of the record, this Court finds that the controversy involved in the present batch of writ petitions is identical in all material particulars to the one which came up for consideration before this Court in WPC No.3730/2026 and analogous cases, decided by common order dated 23.07.2026. The impugned notices challenged herein are the same pre-eviction notices dated 25.06.2026 issued by the same authority, founded on the very same report of the Public Works Department declaring the commercial complex to be in a dilapidated and unsafe condition. Since the issues involved, the reliefs claimed and the legal questions arising for consideration are identical, and no distinguishing feature has been pointed out

by the learned counsel for the parties, this Court sees no reason to take a view different from the one already taken in WPC No.3730/2026 and analogous cases.

9. Consequently, for the reasons recorded in the common order dated 23.07.2026 passed in WPC No.3730/2026 and analogous cases, the present writ petitions also stand disposed of in the same terms and with the same directions as contained therein.

10. It is clarified that all the observations and directions issued in the aforesaid common order shall apply *mutatis mutandis* to the facts of the present writ petitions.

11. There shall be no order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge

U.K. Raju