ANURADHA TIWARI
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HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 1024 of 2026

1 - Janki Bai W/o Late Harinarayan @ Hari Ram Dhruv Aged About 60 Years R/o Ward No. 49 Shyam Nagar Telibandha, Raipur District Raipur Chhattisgarh

2 - Mithlesh Kumar Dhruv S/o Late Harinarayan @ Hari Ram Dhruv Aged About 41 Years R/o Ward No. 49 Shyam Nagar Telibandha, Raipur District Raipur Chhattisgarh

3 - Kamlesh Kumar Dhruv S/o Late Harinarayan @ Hari Ram Dhruv Aged About 33 Years R/o Ward No. 49 Shyam Nagar Telibandha, Raipur District Raipur Chhattisgarh

4 - Yogesh Kumar Dhruv S/o Late Harinarayan @ Hari Ram Dhruv Aged About 28 Years R/o Ward No. 49 Shyam Nagar Telibandha, Raipur District Raipur Chhattisgarh

... Appellants

versus

1 - Sunil Kumar Natthani S/o Late Sohan Lal Natthani Aged About 55 Years R/o Sadar Bazar, Raipur District Raipur Chhattisgarh (Petitioner In The W P)

2 - Rent Control Authority Raipur District Raipur Chhattisgarh Through Its Presiding Officer (Resp. No. 1 In The W P)

3 - Tehsildar Tehsil Raipur, District Raipur Chhattisgarh (Resp. No. 2 In The W P)

... Respondents

(Cause-title taken from Case Information System)

For Appellants	:	Mr. Shailendra Kumar Bajpai, Advocate
For State	:	Mr. Amit Buxy, Deputy Government Advocate

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice
Hon'ble Shri Santosh Sharma, Judge

Judgment on Board

***Per Krushna Ram Mohapatra*, Chief Justice**

28.10.2026

1. Heard Mr. Shailendra Kumar Bajpai, learned counsel for the Appellants as well as Mr. Amit Buxy, learned Deputy Government Advocate, appearing for the State.

I.A. No.01 of 2026 and Writ Appeal No.1024 of 2026

2. I.A. No. 01 of 2026 has been filed by the Appellants seeking permission to pursue the Writ Appeal.

3. This intra-Court Appeal has been filed assailing the order dated 03.09.2026 passed by the learned Single Judge in Writ Petition (C) No. 4491 of 2026, whereby a direction was issued to the Tahsildar, Raipur Tahsil, District Raipur (C.G.), to ensure due compliance with the order dated 31.01.2018 passed by the Rent Control Authority, Raipur, in Case No. 02-B-121 of 2018-19.

4. It is submitted by Mr. Bajpai, learned counsel for the Appellants, that although an order of eviction has been passed against the Appellants by the Rent Control Authority, Raipur, in Case No. 02-B-121 of 2018-19, and implementation of the said order was sought in the aforesaid Writ Petition, the Appellants were not impleaded as parties to the Writ Petition. It is stated that the Appellants were parties before the Rent Control Authority, Raipur being the tenants. As such, the Writ Petition was incompetent. Before passing any final order, the Appellants, who were necessary parties and were affected by the impugned order, ought to have been afforded an opportunity of hearing.

5. Mr. Buxy, learned Deputy Government Advocate appearing for the State, submits that the inaction of the Tahsildar, Raipur Tahsil, District Raipur (C.G.), i.e., Respondent No. 3, was under challenge in the Writ Petition.

6. It is further submitted by Mr. Bajpai, learned counsel for the

Appellants, that although an advance copy of the Memo of Appeal was offered to the learned counsel for the landlord, namely, Sunil Kumar Natthani (Writ Petitioner), he refused to accept the same.

7. Taking note of the submissions advanced by learned counsel for the parties, this Court finds that the inaction of the Tahsildar, Raipur Tahsil, District Raipur (C.G.), in implementing the order of eviction passed against the tenants was the issue before the learned Single Judge. The Appellants allege that they are affected by the impugned order. Thus, the appropriate remedy available to the Appellants would have been to file a Review Petition before the learned Single Judge, seeking an opportunity of hearing.

8. In view of the above, the Writ Appeal is disposed of with the observation that the Appellants, if so advised, may file a properly constituted Review Petition before the learned Single Judge seeking for appropriate relief.

9. The Writ Appeal is accordingly **disposed of**. I.A. No. 01 of 2026 also stands disposed of accordingly.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice

Anu