CGHC010418222026 2026:CGHC:46416

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5540 of 2026

Vijay Laxmi Tiwari W/o Jagarnath Tiwari, Aged About 50 Years R/o Radhika Residence Kabir Chowk, Raigarh, District Raigarh, C.G.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, C.G.

2 - The Collector, Raigarh Collectorate, Raigarh, District Raigarh, C.G.

3 - The Municipal Corporation, Raigarh, Through Commissioner Raigarh District Raigarh, C.G.

.. Respondent(s)

For Petitioner	:	Mr. N. K. Malaviya, Advocate
For State	:	Mr. Anil Pandey, GA
For Municipal Corporation	:	Mr. Pankaj Agrawal, Advocate

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

03.11.2026

1. The petitioner, being aggrieved by the inaction and failure of the respondent authorities to duly consider and effectively redress the grievance raised in her representation dated 03.10.2025, particularly with regard to the non-delivery of possession of the

halls in question, despite the petitioner having duly complied with all the prescribed terms and conditions and deposited a sum of Rs. 8,00,000/- (Rupees Eight Lakhs only) towards security deposit, is constrained to approach this Hon’ble Court. It is submitted that despite the lapse of considerable time since the initiation of the auction proceedings in the year 2022, the respondent authorities have failed to take any effective steps towards handing over possession of the said halls or resolving the petitioner's grievance. Hence, the petitioner has filed the present petition seeking the following reliefs:

> *“ 10.1 This this Hon'ble Court may be pleased to Issue an direction, directing the appropriate writ, order or respondent authorities to consider and decide the petitioner's representation dated 03.10.2025 concerning the non-delivery of possession of the halls situated on the first and second floors of the New Complex near the S.P. Office, Station Road, Raigarh, in accordance with law in the interest of justice*
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> *10.2.This this Hon ble Court may further be pleased Direct the respondent authorities to take appropriate consequential action concerning the petitioner's claim in which near about 8,00,000 (Eight Lakh Rupees only) has been deposited to the respondent authorities in*

the name of security deposit for allotment and delivery of possession of the halls in question.

10.3 Any other relief, which this Hon'ble Court may deem fit and proper, may also be passed in favour of the petitioner."

2. Learned counsel appearing on behalf of the petitioner submits that the Municipal Corporation, Raigarh, District Raigarh (C.G.), issued a notice inviting bids for the grant of lease of shops/halls situated in the New Complex near the S.P. Office, Station Road, Raigarh, by way of an auction advertisement published in the newspaper. The petitioner participated in the said auction and accordingly deposited the requisite amount of Rs. 8,00,000/-. However, despite the auction having been conducted on 31.10.2022 and the petitioner having duly complied with all the requisite formalities, possession of the shops/halls has not been handed over to her till date. It is further submitted that, upon approaching the concerned authorities, the petitioner was informed that the matter had not yet been finalised as the signature of the competent authority was still awaited.

3. Learned counsel appearing on behalf of the Municipal Corporation submits that the entitlement of the petitioner shall be duly considered and decided within a period of 30 working days from today.

4. Having heard learned counsel for the parties and upon perusal of

the material available on record, it is evident that the petitioner has already deposited the requisite auction amount. However, despite the deposit of the said amount nearly four years ago, possession of the property in question has not been handed over to the petitioner till date. In such circumstances, it is incumbent upon the respondent authorities to ensure that possession of the property in question is handed over to the petitioner in accordance with law. The authorities cannot sit over the case of the petitioner, who, despite having deposited the requisite amount, has been compelled to run from pillar to post for nearly five years. Accordingly, the concerned authorities are directed to consider and decide the issue **within a period of 30 working days** from the date of receipt of a copy of this order. If there is no other impediment, they shall hand over possession of the shops/halls to the petitioner.

5. With the aforesaid observations and directions this writ petition stands **disposed of.**

SD/-

(Amitendra Kishore Prasad)

Judge

AMIT PATEL