



2026:CGHC:2933

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 205 of 2026

1. Shamim Sajdari W/o Abdul Mobin Khan Aged About 64 Years Nayapara Kirtinagar, Ward No. 11, Bilaspur, District - Bilaspur Chhattisgarh.
2. Abdul Mobin Khan S/o Late Abdul Majeed Khan Aged About 74 Years Nayapara Kirtinagar, Ward No. 11, District - Bilaspur Chhattisgarh

... Petitioners.

Versus

1. State Of Chhattisgarh Through Secretary, Social Welfare Department, Social Welfare Complex, Mana Camp, Raipur Chhattisgarh.
2. Collector, Bilaspur District - Bilaspur Chhattisgarh.
3. Sub Divisional Officer Bilaspur, District - Bilaspur Chhattisgarh.
4. Mehfooz Khan S/o Abdul Mobin Khan Nayapara Kirtinagar, Ward No. 11, Bilaspur, District - Bilaspur Chhattisgarh.

... Respondents.

{Cause title downloaded from CIS Periphery}

For Petitioners : Ms. Hamida Siddiqui, Advocate.

For Res No.1 to 3/State : Mr. Abhishek Gupta, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

19/01/2026

1. This Writ Petition under Article 226 of the Constitution of India has been filed by the petitioners for the following reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent No.3 to take action in pursuance of the complaint dated 05/12/25 and direct the respondent



No.4 to vacate the premise in question and hand over peaceful possession to the petitioners.

10.2 Any other relief, which this Hon'ble Court may deem fit and proper, may also be pleaded in favour of the petitioners together with cost of the petitioner."

2. Ms. Hamida Siddiqui, learned counsel for the petitioners, submits that petitioner Nos. 1 and 2 are wife and husband. Petitioner No. 1 is the owner of the house situated at Nayapara, Kirtinagar, Sirgitti, Ward No. 11, District Bilaspur. She further submits that the petitioners are senior citizens and they have been residing in the aforesaid house since long, however, respondent No.4, who is the son of the petitioners, has dispossessed them forcefully. She also submits that petitioner No.1 filed an application before the Collector, Bilaspur, on 23.09.2025 (Annexure-P/3), but the same has not been decided so far. Therefore, at this juncture, this petition may be disposed of with a direction to the Collector, Bilaspur, to decide the application dated 23.09.2025 filed by petitioner No.1.
3. Mr. Abhishek Gupta, learned State counsel, would submit that the application filed by the petitioner shall be decided by the Collector, Bilaspur, in accordance with law, within a reasonable time frame
4. Heard learned counsel for the parties and perused the documents annexed with the petition.
5. The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, has been enacted by the Central Government to protect the interest and welfare of senior citizens. Under the aforesaid Act, the State of Chhattisgarh has framed specific rule viz. the Chhattisgarh Maintenance



and Welfare of Parents and Senior Citizens Rules, 2009. This Court deems it appropriate to quote the relevant provision of the Rules, 2009, which reads thus:-

"Rule-19. Duties and Powers of the District Magistrate.

(1) The District Magistrate shall perform the duties and exercise the powers mentioned in sub-rules (2) and (3) so as to ensure that the provisions of the Act are properly carried out in his district.

(2) It shall be the duty of the District Magistrate to -

(i) ensure that life and property of senior citizens of the district are protected and they are able to live with security and dignity;

(ii) oversee and monitor the work of Maintenance Tribunals and Maintenance Officers of the district with a view to ensuring timely and fair disposal of applications for maintenance, and execution of Tribunal's orders;

(iii) oversee and monitor the working of old age homes in the district so as to ensure that they conform to the standards laid down in these rules, and any other guidelines and orders of the State Government;....."

6. The aforesaid provision of Rules 2009 provides duty of District Magistrate that he shall ensure protection of life and property of senior citizens of the district and that they are able to live with security and dignity.
7. In the instant case, as stated by counsel for the petitioners, the petitioners are senior citizens and they have been forcefully dispossessed from the house by their son (respondent No.4). Annexure-P/3 is the application submitted by the petitioners before the Collector,



Bilaspur on 23.09.2025 and Annexure-P/4 is the application submitted by the petitioners before Sub Divisional Officer/Maintenance Officer, Bilaspur on 08.12.2025 for redressal of their grievances, despite that the said applications have not been considered and decided by the Authorities.

8. Having regard to the aforesaid facts and keeping in view the aforesaid rules framed by the State of Chhattisgarh, this petition is disposed of with a direction to the Collector, Bilaspur to decide the application submitted by the petitioners on 23.09.2025 (Annexure-P/3) in accordance with rules/law and in the spirit of Rule 19 of the CG Maintenance And Welfare Of Parents And Senior Citizens Rules, 2009. The said application shall be decided by the Collector within a period of 30 days from the date of receipt of copy/communication of this order.
9. With the aforesaid direction, this petition stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge

Ajay