

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 539 of 2021**

1 - Anand Kumar S/o D.P. Aharwal Aged About 49 Years R/o Village Adawal
Tehsil Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur),
Chhattisgarh

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Secretary, Scheduled Tribe, Scheduled
Caste Development, Department, Mahanadi Bhawan, Atal Nagar, Raipur,
District Raipur, Chhattisgarh

2 - Chhattisgarh Rajya Antyavasai Sahakari Vitta And Vikas Nigam Maryadit (A
Undertaking Of Government Of Chhattisgarh), Through Managing Director,
Sector 27, Nawagaon Parsatti, Naya Raiupr, Chhattisgarh

3 - Zila Antyavasi Sahakari Vikas Samiti, Jagdalpur Through The Chuief
Executive Officer, District Bastar, Chhattisgarh

4 - Collector Bastar President, Zila Antyavasai Sahakari Vikas Samiti,
Jagdalpur, District Bastar, Chhattisgarh, District : Bastar(Jagdalpur),
Chhattisgarh

... Respondent(s)

For Petitioner(s)	: Mr.Prateek Singh Thakur, Advocate
For State	: Mr. Shubham Bajpayee, Panel Lawyer
For respondent No.2 & 3	: Mr. Jitendra Pali, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey**Order on Board****08.08.2025**

1. The petitioner has filed this petition seeking the following relief(s):-

“10.1 That, the records pertaining to the
allotment and cancellation of Shop with respect
to the petitioner may kindly be called for kind
perusal of this Hon'ble Court.

10.2 That, the impugned notice dated



06/01/2021 may kindly be set aside/quashed and the petitioner be allowed to continue with the peaceful possession of the shop in question.

10.3 That, any other relief / reliefs which may deem fit and proper in the facts and circumstances of the case, may also be allowed.”

2. Learned counsel for the petitioner would submit that a shop was allotted to the petitioner by respondents No. 2 & 3 on 02.06.2001. He would contend that without affording any opportunity of hearing, order (Annexure-P/1) dated 06/01/2021 was issued by respondent No. 3. whereby the order of allotment was cancelled and the petitioner was directed to vacate the shop premises. He would further submit that the petitioner has already deposited the rent amount and argues that the order violates the principles of natural justice. may be permitted to initiate fresh proceedings against the petitioner after affording due opportunity of hearing. She would submit that the petitioner failed to deposit the rent amount, therefore, the impugned order was passed.
3. Learned counsel for respondents No. 2 & 3 would submit that the answering respondents may be permitted to initiate fresh proceedings against the petitioner after affording due opportunity of hearing. She would submit that the petitioner failed to deposit the rent amount, therefore, the impugned order was passed.
4. Learned counsel for the State would support the contention made by counsel for respondents No. 2 and 3.
5. Heard counsel for the parties and perused the documents present on record.
6. Taking into consideration the fact that the order (Annexure-P/1) was



issued by respondent No. 3 without issuance of notice and without affording any opportunity of hearing, therefore, it is not sustainable in the eyes of law and is hereby quashed. Respondents No. 2 and 3 shall be at liberty to initiate fresh proceedings after affording due opportunity of hearing to the petitioner, if so advised.

SD/-

(Rakesh Mohan Pandey)

Judge

Rekha