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HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2891 of 2022**

1 - Sri Ram Sewak Vyas Memorial Educational Foundation A Society Registered Under The Provisions Of Chhattisgarh Society Registrikan Adhinyam, 1973 Having Its Registered Office At Mig 61, Housing Board Colony, Tatibandh, Raipur (C.G.) Through Its President Dr. Rakesh Kumar Mishra, S/o Late Shri Ram Sewak Mishra, Aged 57 Years, President Of Sri Ram Sewak Vyas Memorial Educational Foundation, R/o Mig 61, Housing Board Colony, Tatibandh, Raipur, District Raipur (C.G.)

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

1 - State Of Chhattisgarh Through Secretary, Department Of School Education, Mantralaya Mahanadi Bhawan, Atal Nagar Nawa Raipur, District : Raipur, Chhattisgarh

2 - Collector (Tribal Welfare Department) South Bastar, Dantewada, District - South Bastar (C.G.)

3 - Assistant Commissioner Tribal Development Department, Dantewada, District - South Bastar (C.G.)

... Respondent(s)

For Petitioner(s)	:	Shri Malay Shrivastava, Advocate.
For State/Res	:	Shri Sabyasachi Choubey, GA.

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

06/05/2026

1. This Writ Petition has been filed against the order dated 22.06.2022 (Annexure P/1) passed by the Collector, District South Baster Dantewada, Chhattisgarh by which, the petitioner-Society has been directed to vacate the *Bhawan* at Mokhpal as DAV school is to be shifted in the said *Bhavan*.
2. Learned counsel for the petitioner submits that the petitioner is a registered



society under the provisions of Chhattisgarh Society Registrarian Adhiniyam, 1973. On 04/07/2018, Respondent No.2 had issued an advertisement calling Tender for running of higher education institution for the betterment of the higher and professional education in Dantewada. The petitioner submitted its application form and on being found eligible, the petitioner was declared as a successful bidder and was granted a lease of 30 years of Model School building premises for opening and running of college for higher and professional education. After execution of the registered lease deed in favour of the petitioner, the petitioner has opened the institution as Vishwa Bharti Institute and in the institution, the petitioner has taken affiliation and recognition for running B.A., B.Com (Computer Application) and B.Sc. (Nursing) courses from the academic session 2019-2020 and 2020-2021. As the lease for the premises has been given to the petitioner for 30 years though shockingly on 25/06/2022, petitioner receives an order of respondent No.2 dated 22/06/2022 in which the respondent No.2 has directed the petitioner to vacate the premises within 10 days for the reason that DAV school has to be shifted in leased premises given to the petitioner. It is the most humbly and respectfully submitted by the petitioner that till date the registered lease deed which was executed in favour of the petitioner for 30 years has not been cancelled, yet, the respondent No.2 has issued the impugned order which is unjust and not sustainable in the eye of law. Hence, this petition has been filed.

3. Learned counsel for the petitioner submits that during the pendency of this Writ Petition, return has been filed by the other side and this Court vide order dated 04.07.2022 has directed the respondents not to initiate any coercive steps against the petitioner pursuance to the impugned order dated 22.06.2022, as



such, the petitioner is still running their institute in the *Bhawan* at Mokhpal.

4. Learned State counsel submits that they have filed their return on 07.07.2025 and submits that the *Bhawan* at Mokhpal is required for shifting DAV school, as such, the petitioner has been directed to vacate the premises.
5. In reply to the said submission, learned counsel for the petitioner submits that he has brought on record certain documents along with affidavit of the petitioner which is order dated 29.04.2017 Annexure P/11 which goes to show that the DAV school which was about to be run in the premises leased to the petitioner has been shifted to Eklavya Adarsh Awasiya Kanya Shiksha Parisar Parcheli (Katekalyan). As such, the requirement of the premises leased to the petitioner as existed before, does not exist at present.
6. Learned State counsel submits that he has also received instructions that the DAV school was about to be shifted in the premises leased to the petitioner, has now been shifted to Eklavya Adarsh Awasiya Kanya Shiksha Parisar Parcheli (Katekalyan).
7. Considering the aforesaid aspect of the matter, particularly considering the fact that the impugned order was passed on account of the fact that DAV school was to be shifted in the premises leased to the petitioner, however, the said DAV school has already been shifted to Eklavya Adarsh Awasiya Kanya Shiksha Parisar Parcheli (Katekalyan), as such, there is no need to give effect to the impugned order in view of the subsequent development in the matter.
8. Accordingly, impugned order dated 22.06.2022 (Annexure P/1) is set aside and the Writ Petition is disposed of.

Sd/-
(Amitendra Kishore Prasad)
Judge