

## HIGH COURT OF CHHATTISGARH, BILASPUR

## Order Sheet

**W.P.(C) No. 4177 of 2021**

Shristhi Institute Of Medical Sciences And Research Centre Through Director Having Its Registered Officer At Near Petrol Pump Niharika Road Korba Tehsil Korba And District Korba Chhattisgarh.

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur Chhattisgarh.
2. Collector Korba Rampur Road Korba, District Korba Chhattisgarh.
3. Tehsildar Nazul Korba, Rampur, Korba Chhattisgarh, District Korba Chhattisgarh.

---- **Respondents**

20/10/2021	<p>Dr. N.K. Shukla, Senior Advocate with Ms. Rashika Soni and Ms. Kritika Jani, Advocates for the petitioner.</p> <p>Shri Sudeep Agrawal, Dy. A.G. for the State.</p> <p>Heard.</p> <p>It is submitted by counsel for the petitioner that the petitioner is an Educational Society which has been granted a land of 25 acres on lease in District Korba for establishment of Medical College.</p> <p>According to the order of Madhya Pradesh Government, Revenue Department numbered as F-16-156/97/7/C-2B, Bhopal dated 17.8.96, the allotment of land on lease to such institution has to be made free of cost, as this order was passed prior to the re-organization of States of Chhattisgarh and Madhya Pradesh, therefore, the same is applicable to this State also.</p> <p>The petitioners have moved a separate petition i.e. W.P.(C) No. 1981 of 2015 praying for extension of period of the lease</p>

property from 30 years to 99 years, which is pending for consideration.

In the meanwhile, respondent No.3/ Tehsildar has passed an order dated 30.9.2021, directing the petitioner's society to deposit the arrears of lease rent, interest and development tax, which is under challenge in this petition. Hence, this petition be admitted for hearing and interim order be passed.

Learned State counsel representing the respondents opposes the submissions and submits that the allotment of land to the petitioner had been made on clear conditions which have not been followed by the petitioner so far, therefore, the impugned order has been correctly passed which has no infirmity. In case, any stay is granted to the petitioner then he may be directed to make a partial payment of the amount ordered in the impugned order.

Considered on the submissions.

Time is granted to the respondents' counsel to file a detailed reply.

In the meanwhile, it is ordered that the effect and operation of the impugned order shall remain stayed till the next date of hearing.

List this case after four weeks.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge