



2026:CGHC:15422-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WA No. 106 of 2026**

Ajit Kumar Tiwari S/o Late Shri Ramesh Kumar Tiwari Aged About 34 Years R/o Sonar Mohalla Ward No. 7, Shivrinarayan District- Janjgir-Champa (C.G.)

... Appellant**versus**

1 - State Of Chhattisgarh Through Secretary Water Resource Department Mantralaya Mahanadi Bhawan Atal Nagar Nava Raipur District- Raipur (C.G.)

2 - Managing Director Chhattisgarh Infrastructure- Development Corporation- Chhattisgarh Rajya Kaushal Vikas Pradhikaran Bhawan Second Floor Old P.H.Q. Campus Near Raj Bhawan Raipur District- Raipur (C.G.)

... Respondents

For Appellant : Mr.Anniruddha Shrivastava, Advocate

For Respondent : Mr.S.S.Baghel, Government Advocate

No.1/State

For Respondent : None present

No.2

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge



Judgment on Board

Per Ramesh Sinha, Chief Justice

2.4.2026

1. Heard Mr.Anniruddha Shrivastava, learned counsel for the appellant as well as Mr.S.S.Baghel, learned Government Advocate appearing for respondent No.1/State on I.A.No.01/2026, which is an application for condonation of delay of 87 days in filing the instant appeal.
2. For the reasons mentioned in the application (I.A.No.01/2026), same is allowed and delay is condoned.
3. With the consent of learned counsel for the parties, the matter is heard finally.
4. Learned counsel for the appellant submits that the issue involved in this writ appeal has already been considered and decided by this Court vide judgment dated 13.02.2026 passed in **WA No.127 of 2026 (Priya Devi v. State of Chhattisgarh and others)**, in which this Court has observed as under:-

“14. Having considered the rival submissions and perused the impugned order, we are not inclined to interfere with the order passed by the learned Single Judge in exercise of review jurisdiction. The recall of the earlier order and restoration of the writ petition to its original number cannot be said to be wholly without jurisdiction so as to warrant interference in this intra-court appeal.

15. However, we find substance in the grievance of the



appellant that there was lack of proper assistance on behalf of respondent No.2 – CIDC at the stage of hearing of the writ petition. Once the authority was represented through its counsel before the writ Court, it was incumbent upon it to fully and effectively assist the Writ Court. The failure to do so has resulted in unnecessary prolongation of proceedings and avoidable hardship to the appellant by filing this writ appeal.

16. It is further observed that the conduct of respondent No.2 – CIDC, in failing to place proper instructions and relevant materials before the learned Single Judge at the time of hearing of the writ petition, has not only reflected a lack of due diligence but has also caused inconvenience to the learned Single Judge who has passed the order dated 29.04.2025 in the writ petition and thereafter, had to recall its own order in the review petition vide order dated 25.07.2025. A litigant, particularly a statutory Corporation like CIDC, is expected to act with responsibility and fairness while assisting the Court. The inability of its counsel to provide adequate instructions, without even seeking adjournment or time to obtain the same, led to an incomplete and unsatisfactory assistance to the Court, thereby compelling the learned Single Judge to proceed in circumstances where the necessary clarity from the respondent-Corporation was lacking. Such casual approach on the part of respondent No.2 undermines the sanctity of judicial proceedings and cannot be countenanced.

17. In the peculiar facts and circumstances of the case, while upholding the order dated 25.07.2025 passed in Review Petition No.170/2025, we deem it appropriate



to saddle respondent No.2 with costs for the manner in which the matter has been conducted before the writ Court.

18. Though we were inclined to impose costs of Rs. 1,00,000/- in view of the conduct of respondent No.2 – CIDC, however, upon repeated and earnest requests made by the learned Senior Advocate appearing on its behalf, we deem it appropriate that the respondent No.2 – CIDC shall pay cost of Rs.50,000/- to the appellant within a period of three weeks from the date of receipt of a certified copy of this order, failing which the said amount shall be recovered as arrears of land revenue by the competent authority and shall be paid to the petitioner, at the earliest.

19. The appeal stands **disposed of** in the aforesaid terms.”

5. Learned Government Advocate appearing for respondent No.1/State does not dispute the said fact.

6. In view of above, the present writ appeal stands **disposed of** in terms of the judgment passed by this Court in WA No. 127 of 2026. It is, however, made clear that the directions regarding imposition of cost on respondent No. 2, as contained in paragraphs 17 and 18 of the said judgment, shall not apply to the present case.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice