



2026:CGHC:26689

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2812 of 2026

Kanhaiya Lal Agrawal S/o Late Shri Kailash Kumar Agrawal Aged About 62 Years R/o 24, South Avenue Road, 1st Floor, Choubey Colony, Raipur (C.G.)

... **Petitioner**

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Commerce And Industries, Chhattisgarh Mahanadi Bhawan, Atal Nagar, Nawa Raipur Distt. - Raipur (C.G.)

2 - Managing Director, Chhattisgarh State Industrial Development Corporation Limited (CSIDC) Udyog Bhawan, Ring Road No. 1, Telibandha, Raipur, -492006 Chhattisgarh, India

3 - The Chief General Manager, District Trade And Industries Centre, Third Floor, Udyog Bhawan, Ring Road No. 01, Raipur Chhattisgarh

4 - The Chief General Manager (Land Allotment Section), District Trade And Industries Centre, Third Floor, Udyog Bhawan, Ring Road No. 01, Raipur Chhattisgarh

5 - The Collector, District - Raipur Chhattisgarh.

... **Respondents**

(Cause-title taken from Case Information System)

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|----------------|---|------------------------------------|
| For Petitioner | : | Mr. Hemant Kumar Agrawal, Advocate |
| For State | : | Mr. S.S. Choubey, Govt. Advocate |
| For CSIDC | : | Mr. Trivikram Nayak, Advocate |

Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

30.06.2026

1. By filing the present petition under Article 226 of the Constitution of India, the petitioner calls in question the legality, validity and

propriety of the order dated 11.03.2026 whereby the petitioner's application for allotment of the adjoining industrial land was restricted to 15% of the original allotment, as well as the consequential notices dated 07.05.2026, 15.05.2026 and 21.05.2026 issued for removal of the petitioner's alleged unauthorized occupation and demolition of the structures standing thereon. The petitioner principally contends that the impugned order and consequential notices have been issued without jurisdiction, in violation of the provisions of the Chhattisgarh Industrial Land & Building Management Rules, 2015 and the principles of natural justice, and seeks quashment thereof along with a direction for allotment of the adjoining disputed land in accordance with law. The petitioner has prayed for following relief(s):-

"I) That, this Hon'ble Court may kindly be pleased to call for the entire records from the Chhattisgarh State Industrial Development Corporation Limited relating to the disputed land measuring approximately 100 x 35 meters, i.e. approximately 3500 sq. meters, which is situated at Urla Industrial Area, Patwari Halka No. 29, Revenue Inspector Circle Raipur-21 Rawanbhata, Tehsil Dharsiwa, District Raipur (C.G.), located towards the northern side of the petitioner's industry, namely M/s Natural Fuels, Urla, Raipur, and presently under the settled possession of the Petitioner.

II) That, this Hon'ble Court may kindly be pleased to quash/set aside the impugned order dated 11.03.2026 (Annexure P/7), whereby the application/representation dated 02.12.2024 submitted by the petitioner was allowed only to the extent of 15% of the originally allotted land of the petitioner and was illegally rejected for the remaining areas, despite the petitioner

being entitled to the entire land measuring 35 x 100 meters, i.e., approximately 3500 sq. meters, on payment of Government rates along with applicable penalties and interest.

III) That, this Hon'ble Court may kindly be pleased to quash/set aside the impugned illegal notices dated 07.05.2026, 15.05.2026, and 21.05.2026 (Annexure P/8 (colly)), issued by the respondent authorities intimating removal/demolition of the petitioner's settled possession, property, and civil construction standing over the disputed land situated on the northern side of Plot No 740-N belonging to the petitioner on 26.05.2026.

IV) That, this Hon'ble Court may kindly be pleased to direct the respondents not to interfere, either directly or indirectly, with the settled possession of the petitioner over the aforesaid adjoining disputed land and further direct the respondents to allot the entire disputed land in favour of the petitioner in accordance with the provisions of the Chhattisgarh Industrial Land & Building Management Rules, 2015.

V) That, this Hon'ble Court may kindly be pleased to pass appropriate orders directing that the erring Government officers be punished in accordance with law and the rules framed thereunder.

VI) That, furthermore, this Hon'ble Court may kindly be pleased to direct the concerned authorities to pay exemplary compensation to the petitioner in order to compensate for the hardships suffered by him.

VII) Any other relief, which this Hon'ble Court deems fit and proper, may also kindly be granted in favor of the Petitioner in the interest of justice.”

- 2.** Learned counsel for the petitioner submits that the impugned order has been passed by an authority having no jurisdiction and without

affording any opportunity of hearing to the petitioner. It is further submitted that the impugned order is contrary to the provisions of the Chhattisgarh Industrial Land and Building Management Rules, 2015, particularly Clauses 3.1.2.2 and 3.1.2.3, inasmuch as the petitioner is entitled to allotment of the adjoining land, there being no separate access thereto. It is also contended that the consequential eviction notices are wholly unsustainable and deserve to be quashed.

- 3.** Per contra, learned counsel appearing for the respondent-CSIDC submits that the impugned order dated 11.03.2026 is appealable under Clauses 3.8.1 and 3.8.2 of the Chhattisgarh Industrial Land and Building Management Rules, 2015. It is submitted that the petitioner has an efficacious statutory remedy either by filing a review before the competent authority under Clause 3.8.1 or by preferring an appeal under Clause 3.8.2 of the Rules, 2015. It is further submitted that since the present writ petition was instituted on 25.05.2026, i.e., within the prescribed period of limitation, the respondents have no objection if liberty is granted to the petitioner to avail the statutory remedy and the competent authority is directed to consider the same on merits without rejecting it on the ground of limitation.
- 4.** I have heard learned counsel for the parties and perused the material available on record.
- 5.** Considering the availability of the statutory remedy under Clauses 3.8.1 and 3.8.2 of the Chhattisgarh Industrial Land and Building

Management Rules, 2015, this Court is not inclined to entertain the present writ petition on merits. However, since the petitioner had approached this Court by filing the present petition on 25.05.2026, which was within the prescribed period of limitation, it is directed that if the petitioner files a review under Clause 3.8.1 or an appeal under Clause 3.8.2 of the Rules, 2015 before the competent authority within a period of 10 days from today, the same shall be entertained and decided strictly in accordance with law, without rejecting it on the ground of limitation or delay occasioned on account of the pendency of the present writ petition within a further period of 30 days.

6. It is further directed that for a period of 40 days from today, the respondents shall not take any coercive steps against the petitioner pursuant to the impugned notices, so as to enable the petitioner to avail the aforesaid statutory remedy.
7. With the aforesaid observations and directions, the writ petition stands disposed of. No order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge