

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 3502 of 2008

1. Bharat Bhai Thakkar S/o Late Shri Madhav Bhai Thakkar, aged about 44 years, Prop. M/s Jalaram Sweets, G.E. Road Rajnandgaon, Distt.- Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh, Ministry of Local Self Government, Through Secretary, Secretariat, Raipur, CG
2. Municipal Corporation Rajnandgaon, Through Its Commissioner, Municipal Corporation, Rajnandgaon (C.G.)
3. Appeal Committee, Municipal Corporation, Rajnandgaon, Through Its Ex-Officio Chairman/Mayor, Municipal Corporation, Rajnandgaon (C.G.)

----- Respondents

For Petitioner.	-	Shri B.P. Gupta, Advocate.
For Respondent No.1.	-	Shri Ajit Singh PL .
For Respondent No.2.	-	Shri Sourabh Sharma, Advocate

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

13/07/2015

1. Main challenge in this petition is to the show cause notice dated 2.6.2008 (Annexure P-1) issued by the Corporation authorities whereby apart from the petitioner, some other persons were directed to vacate the disputed property.
2. Counsel for the petitioner submits that after filing the present writ petition, WA No. 179/2007 and WPC 7579/2011 have been decided by the Division Bench of this Court and thus considering the fact that number of factual disputes are involved in the case, at this stage he may be permitted to withdraw this petition with liberty to avail the appropriate remedy available to

him under the law. He further submits that in the event of availing alternative remedy, the authority concerned may be directed to act thereupon expeditiously.

3. Counsel for the respondents submit that they have no objection to the withdrawal of this petition. They however, submit that since as on date the petitioner has not chosen the authority to be approached by him, direction to act on expeditiously cannot be given by this Court.

4. Be that as it may, the petitioner is permitted to withdraw this petition with liberty as aforesaid. In the event of the petitioner availing alternative remedy, the authority concerned is expected to act thereon expeditiously in accordance with law.

5. Petition is thus dismissed as withdrawn with the aforesaid observations and directions.

Sd/-

(Pritinker Diwaker)

Judge