

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 39 of 2015

Manav Shikshan Samiti Bilaspur, Bearing Registration Number 2327, Having Its Registered Office At Shriram Hospital, Telipara, Bilaspur C.G. Through Its President, Shri P.K. Dwivedi, S/o Of Late Shri J.P. Dwivedi, Aged 55 Years, R/o T.H. 4, Aakashganga Colony, E-8, Shahpura, Bhopal (M.P.) Local Address Oriental College Of Nursing, Katghora, Distt. Korba C.G.

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through The Chairman Cum Managing Director, SECL Bhawan, Seepat Road, Bilaspur C.G. PS Sarkanda.

2. General Manager South Eastern Coalfields Ltd, Manipur Colliery, Distt. Korba C.G. PS Manikpur.

3. Deputy General Manager South Eastern Coalfields Ltd, Manipur Colliery, Distt. Korba C.G. PS Manikpur.

4. Collector, Korba District Korba C.G. PS City Kotwali, Korba, PS City Kotwali, Korba.

5. Tehsildar Tehsil And Distt. Korba, C.G. PS City Kotwali, Korba.

---- Respondents

For Petitioner/s	: Shri Manoj Paranjpe, Advocate
For Respondents 1 to 3	: Shri V.R.Tiwari, Advocate
For Respondent / State	: Shri S.P.Kale, Dy.A.G.

Order On Board

13/07/2015

The petitioner has filed this petition aggrieved by order dated 10/10/14 by which the respondent / SECL and its authorities have directed the petitioner to vacate the premises.

2. During the course of hearing of the petition, it transpired that the proceedings of eviction of the petitioner have already been drawn by the Estate Officer under the provisions of the Public Premises (Eviction of unauthorised occupants) Act, 1971.

Learned counsel for SECL submits that the eviction of the petitioner shall follow only in accordance with the provisions of the Act of 1971 depending upon the result of eviction proceedings pending before the Estate Officer.

3. In view of the aforesaid statement, the petitioner's apprehension that he would be forcibly removed only on the basis of order dated 10/10/14 (Annexure P/1) is ill-founded.

4. In the result,, this petition is disposed off leaving it open for the petitioner and the respondent to work out their remedies.

It goes without saying that the petitioner will have all the opportunities to defend himself in eviction proceedings initiated against him by the Estate Officer under the Act of 1971 and challenge the order, if any, passed against him.

Sd/-
Manindra Mohan Shrivastava
Judge