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**IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT
BILASPUR**

WRIT PETITION (C) No. 332 /2015

PETITIONER:

Banwari Lal Sharma
S/o Late Rudhmal Sharma,
aged about 45 years,
R/o village & Tahsil Bagicha,
PS Bagicha,
District Jashpur (CG)

For PWP (C) 332/15
To be filed by Mr. Siddhant
23/2/15

VERSUS

RESPONDENTS: 1)

State of Chhattisgarh
through the Secretary,
Department of Panchayat & Rural
Development,
Mantralaya, Mahanadi Bhawan,
Naya Raipur, District Raipur (C.G.)

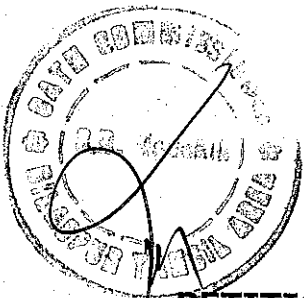
2) The Collector Jashpur,
District Jashpur (C.G.)

3) The Sub-Divisional Officer (Revenue)
Bagicha,
District Jashpur (C.G.)

4) Nagar Panchayat Bagicha,
Through its Chief Municipal Officer,
Nagar Panchayat Bagicha,
District Jashpur (C.G.)

5) The President
Nagar Panchayat Bagicha,
District Jashpur (C.G.)

6) The Chief Executive Officer
Janpad Panchayat Bagicha,
District Jashpur (C.G.)



**PETITION UNDER ARTICLE 226 OF CONSTITUTION OF
INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF
MANDAMUS AND CERTIORARI AND FOR OTHER
SUITABLE WRITS AND DIRECTIONS**

1) PARTICULARS OF THE PETITIONER(S):

As stated above in the cause title.

2) PARTICULARS OF THE RESPONDENT(S):

HIGH COURT OF CHHATTISGARH : BILASPUR

Single Bench : Hon'ble Shri Prashant Kumar Mishra, J.

Writ Petition (C) No.331 of 2015

Petitioner

Satyanarayan Sharma

Versus

Respondents

State of Chhattisgarh and others

And

Writ Petition (C) No.332 of 2015

Petitioner

Banwari Lal Sharma

Versus

Respondents

State of Chhattisgarh and others

Present :- Shri Mateen Siddiqui, Advocate for the petitioners.
Shri Gairi Mukhopadhyaya , Dy. Govt. Advocate for the State.

ORAL ORDER

(Passed on this 25th day of February, 2015)

Heard learned counsel for the parties.

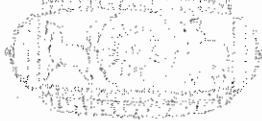
1. These writ petitions are against show cause notice issued by the Sub Divisional Officer (Revenue), Bagicha, District Jashpur calling upon the petitioners to show cause as to how they have occupied the government land belonging to Panchayat Department and constructed pakka house over the same under the Indira Avas Yojna.
2. Learned counsel would submit that the petitioners have preferred these writ petitions on apprehension that the authority may



straightway demolish the construction.

3. Learned counsel for the State would submit that there is no basis for petitioners' apprehension because no such immediate threat is mentioned in the show cause notice. The action would be taken only when the petitioners fail to satisfy the authority about the nature and validity of their possession.
4. In view of the above, the petitioners may file their reply to the show cause notice within 10 days and thereafter the concerned authority may decide the matter within a further period of 6 weeks after giving opportunity of hearing to the petitioners. The authority shall pass orders not later than period of two months from today. Till the order is passed by the authority, the petitioners shall not be dispossessed from the house occupied by them.
5. Accordingly, both the writ petitions stand disposed of.

Kamde



Sd/-
Prashant Kumar Mishra
Judge