

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (C) No. 769 of 2015**

Gupta Advertisers, a Proprietorship Firm, registered under the Chhattisgarh Firms & Societies Act, through its Sole Proprietor Deepak Gupta, S/o Santosh Gupta, aged about 34 years, Bhagat Singh Complex, Korba R/o C-74, S.S.Green Colony, DDM School Road, Korba, Tahsil and District Korba, Revenue District & Civil District Korba Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through the Secretary, Department of Urban and Rural Development, Mahanadi Mantralaya Naya Raipur, Post Office and Police Station Naya Raipur, District Raipur, Chhattisgarh.
2. Municipal Corporation, Korba, through its Commissioner, Municipal Corporation, Korba, District Korba Chhattisgarh.

---- Respondents

For Petitioner	: Shri Malay Shrivastava, Advocate
For Respondent/State	: Shri B. Gopa Kumar, Deputy Advocate General.
For Respondent No. 2.	: Shri B.D.Guru, Advocate.

Hon'ble The Chief Justice,
Hon'ble Shri Justice P. Sam Koshy.

Order on Board**Per Navin Sinha, Chief Justice****11/05/2015**

1. Learned Counsel for the Respondent-Corporation raises a preliminary objection with regard to the alternative remedy of appeal available under Section 403 of the Chhattisgarh Municipal Corporation Act (hereinafter called 'the Act') before the Appeal Committee against the impugned order dated 19.3.2015 for arrears of rent, penalty and blacklisting.
2. Learned Counsel for the Petitioner prays for leave to withdraw the writ petition for availing the alternative statutory remedy of appeal.

3. Nothing in the present order can be considered or construed as any opinion and/or observation by us prejudicial to the Petitioner since we are not inclined to take up the matter for consideration only in view of the alternative statutory remedy available.

4. If the Petitioner prefers such appeal under Section 403 of the Act, the Appeal Committee is required to decide the same expeditiously preferably within a maximum period of eight weeks from the date of receipt and/or presentation of such appeal .

5. The writ petition is dismissed as withdrawn with the aforesaid liberty.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE

Subbu