

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 574 of 2015

Rajesh Kumar Uraon S/o Shri Boas Aged About 36 years R/o Village
Gorakhmuda, Tahsil Gharghora, Civil & Revenue District Raigarh, Chhattisgarh

---- Petitioner

Versus

1. Kanwal Singh S/o Shri Dular Singh Aged About 51 Years R/o Village Jamdabri,
Tah. Tamnar, Raigarh, Civil And Revenue Distt. Raigarh Chhattisgarh
2. The Director, Nav Durga Fuels, Ltd. Saraipali, P.S. Punjeepathra, Raigarh Civil
And Revenue District Raigarh Chhattisgarh
3. The Tahsildar, Tamnar District Raigarh, Chhattisgarh
4. The Sub Divisional Officer, (Revenue) Gharghora District Raigarh Chhattisgarh
5. The Additional Collector, Raigarh, District Raigarh Chhattisgarh

---- Respondents

For Petitioner/applicant	-	Shri Sanjay S. Agrawal, Advocate
For Respondent/State	-	Shri Vinod Tekam, Panel Lawyer

Order On Board

20/07/2015

Heard.

1. Learned counsel for the petitioner has filed this petition seeking extension of the protective umbrella vide order dated 3rd of July, 2015.
2. Learned counsel for the petitioner submits that earlier protective umbrella was granted to the petitioner on 6th of July, 2015, on which date, his application for stay was considered. However, the case, thereafter, has been adjourned on two occasions and it is again being listed now on 23rd of July, 2015. He submits that as the protection has come to an end on 6th of July, 2015 and the application has not been heard, the petitioner is again facing the same apprehension of dispossession.

3. The object and purpose of providing protective umbrella till 6th of July, 2015 was to ensure that till hearing of the petitioner's application for stay, the petitioner should not be dispossessed. It however, appears that the Appellate Authority has granted more than one adjournment after 6th of July, 2015. Learned counsel for the petitioner has stated, at the bar, that none of the occasion, adjournment was sought by the petitioner or their counsel before the Appellate Authority.

4. Considering the aforesaid submission, it would be in the interest of justice to extend the protective umbrella against dispossession till the decision of the petitioner's application for stay. It is also appropriate to direct the Appellate Authority to decide application for grant of stay within a period of 45 days from the date of receipt of copy of this order.

5. With the aforesaid observations, the petition is disposed off.

Sd/-

Manindra Mohan Shrivastava

J U D G E

Rekha