

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1428 of 2015

Jagdish Mandal S/o Shri Kaila Mandal, Aged About 41 Years R/o Qtr. No. B-128, Delwadih,
P.S. Katghora, District Korba (Chhattisgarh)

---- Petitioner

Versus

1. South Eastern Coalfield Limited Through, Its Chairman Cum Managing Director, Seepat Road, Bilaspur, District Bilaspur (Chhattisgarh)
2. Estate Officer/sub Divisional Manager, Delwadih-Singh-Bagdewa, Sub Division, SECL, Katghora, District Korba (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri T.K. Tiwari, Advocate
For Respondents	:	Shri H.B. Agrawal, Sr. Advocate with Smt. Preeti Yadav, Advocate

Order On Board

06/10/2015

Heard.

1. The petitioner has filed this petition aggrieved by the action of the respondents in evicting him without due process of law.
2. During pendency of the petition, respondents by filing return have placed on record the order of eviction passed on 26.7.2015.
3. Learned counsel for the petitioner seriously disputed the aforesaid order by submitting that it is an anti-dated order because when the petitioner submitted a copy of the order passed by this Court on 14.7.2015 in earlier round of litigation, on 27.7.2015, nobody in the office informed him regarding passing of aforesaid order and there is a false endorsement that the petitioner refused to receive copy of order.
4. Though the petitioner states that he was not served with the copy of order dated 26.7.2015, the order contains endorsement that he refused to receive copy. This disputed question of fact cannot be gone into by this Court.

5. There is an order against the petitioner against which he has remedy of filing appeal.
Reserving liberty to file appeal, this petition is disposed off.
6. For a period of 3 months, the petitioner shall not be evicted.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen