

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2003 of 2014

Haripad Vishwas S/o Late Shri Harendranath Aged About 53 Years R/o Subhashnagar, Ward No. 27, Post Boirdadar Distt. Raigarh Civil & Revenue Distt. Raigarh C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Collector Raigarh Distt. Raigarh C.G.
2. Commissioner, Municipal Corporation Raigarh C.G.

---- Respondents

Shri Manoj Kumar Sinha, counsel for the petitioner/s.
Shri Neeraj Sharma, Dy.G.A. for the State.
Shri Rajendra Tripathi, counsel for the respondent / Municipal Corporation.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/11/2015

The petitioner has prayed for a direction to the Collector, Raigarh to consider application submitted by the petitioner regarding grant of permission to construct a shop over his land.

2. It is the submission of learned counsel for the petitioner that on 16/06/14, an application was submitted by the petitioner before the respondent / authorities. It is submitted that no action was taken ventilating his grievance before higher authorities of the State.

3. Learned counsel for respondent No.2 submits that there are no records available with the Corporation to show that the petitioner has submitted any application for building permission.

4. In the absence of there being any document on record filed by the petitioner, acknowledgment receipt of the Corporation by the Corporation authorities, I am not inclined to accept the submission that any application in writing was submitted

before the Corporation by the petitioner seeking permission for construction of building.

5. During the course of arguments, learned counsel for the petitioner brings to the notice of this Court, an application filed before the Commissioner on 28/09/015 which bears acknowledgment in the office of the Corporation.

A perusal of petitioner's application shows that it is a bare application, without submitting proper application for grant of building permission in prescribed proforma along with map of proposed construction as is required under the provisions of the Municipal Corporation Act and Rules made thereunder.

6. In view of above, no direction can be issued at this stage to the Corporation. However, it is open for the petitioner to submit proper application in accordance with law before the Corporation and if any such application is submitted, it goes without saying, the Corporation shall consider the case of the petitioner in accordance with law.

7. The petition is accordingly finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge