

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1476 of 2015

Galaxy Developers Through Its Partner Arun Soni, Son Of Shri R. K. Soni, Aged About 41 Years, Resident Of Priyadarshni Nagar, Bilaspur, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Department Of Revenue, Mantralaya Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Sub Divisional Officer (Revenue) Kota, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	-	Shri Sunil Otwani, Advocate
For Respondent/State	-	Shri Manish Nigam, Panel Lawyer on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/08/2015

Heard.

1. Petitioner's grievance is that though the petitioner has completed construction as a colonizer under development permission dated 03.08.2012, despite repeated representations, the developed work has not been inspected nor appropriate completion certificate issued to the petitioner under Rule 12 (iv) of Chhattisgarh Gram Panchayat (Registration of Colonizer Terms and Conditions) Rules 1999 (for short "the Rules of 1999"). It is the claim of the petitioner that once the construction is found to be in accordance with the approved plan and as per the terms and conditions, mortgaged plots are also liable to be released.

2. Considering the submission of learned counsel for the petitioner and keeping in view the scheme of the Rules of 1999, once the petitioner has intimated the authority regarding completion of construction, the competent authority is required to carry out necessary inspection and decide with regard to issuance of certificate as contemplated under Rule 12

(iv) of the Rules of 1999. At this stage, the competent authority is also required to consider the claim of the petitioner for release of mortgage plots.

3. The SDO (Revenue) respondent No.2 shall consider petitioner's representation and his claim, within a period of three months from the date of receipt of copy of this order. The petitioner may, if so advised, submit a fresh representation/ claim along with the copy of this order.

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

Sd/-

Manindra Mohan Shrivastava

J U D G E