

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1603 of 2015

1. Indra Kumar Jain S/o Late Bhanwarilal Jain, Aged About 75 Years R/o Nehru Chowk
Baloda Bazar, P O & Tahsil Baloda Bazar, Civil & Revenue District- Baloda Bazar
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Nagariya Prashasan Avam Vikas Vibhag,
Mantralaya, Naya Raipur. (Chhattisgarh)
2. The Collector, Baloda Bazar District- Baloda Bazar (Chhattisgarh)
3. Nagar Palika Parishad Through Chief Municipal Officer Nagar Palika Parishad,
Baloda Bazar, District- Baloda Bazar. (Chhattisgarh)
4. Chief Municipal Officer, Nagar Palika Parishad, Baloda Bazar. District- Baloda Bazar.
(Chhattisgarh)

---- Respondents

For Petitioner.	: Shri Ashok Das Vaishnav, Advocate.
For Respondent/State.	: Ms. Sunita Jain, Panel Lawyer.

Order On Board

10/09/2015

Heard.

1. This petition has been filed by the petitioner on apprehension that he may be dispossessed and construction raised by him on the land validly allotted him after due permission, may be demolished.
2. There is no notice given to the petitioner till date but according to the petitioner the movement of the Officers and Authorities of Nagar Palika Parisad has led the petitioner to file this petition.

3. The law does not permit demolition of any construction, without giving a notice of demolition under the provisions contained in Section 187 of M. P. & C. G. Municipalities Act, 1961. If the council intends to remove the construction or demolish the structure, it is required to serve a notice to the petitioner. In case the petitioner is not satisfied with the proceedings orders by the competent authority, the petitioner would be at liberty to take recourse to remedy as may be available to him under the law.

4. Accordingly, the petition is finally disposed off.

5. A copy of this order may be submitted by the petitioner before the municipality Nagar Palika Parishad, Baloda Bazar.

Sd/-

Manindra Mohan Shrivastava

Judge

Amita