

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1097 of 2015

Mohan Lal Daga S/O Late Surajratan Daga Aged About 78 years R/O Flat No. 320/321, Kusumvilla Society Opposite Airtel Building Ring Road No. 1, Telibandha, Raipur Tahsil And District Raipur Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through The Secretary General Administration Department, Mahanadi Bhawan, Mantralaya, Naya Raipur Tahsil And District Raipur Chhattisgarh
2. The Municipal Corporation Raipur Through The Commissioner Municipal Corporation Raipur, Tahsil & District Raipur Chhattisgarh
3. The Zone Commissioner Zone No. 7, Municipal Corporation Raipur Tahsil & District Raipur Chhattisgarh
4. The Station House Officer Police Station City Kotwali Raipur Tahsil And District Raipur Chhattisgarh
5. Hajrat Syed Kutub Shah Tamir Intijamiya Committee Through The President / Secretary Nouman Akram Hamid S/O Shri Amir Hameed House No. 70/1,2,3, Halwai Line Swami Vivekannad Ward No. 57, Raipur Tahsil And District Raipur Chhattisgarh

---- Respondent

For Petitioners. - Shri S.C. Verma, Advocate
For Respondents No.1 & 4 - Ms. Sunita Jain, Panel Lawyer on advance copy
For Respondents No.2 & 3 - Shri Pankaj Agrawal, Advocate on advance copy
For Respondent No.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/06/2015

Heard.

The grievance of the petitioner as ventilated through this petition is that respondent No.5 has been raising construction in a manner which is obstructing petitioner's access to his own house. It is submitted that the petition has been filed because the construction is in violation of statutory building permission granted to respondent No.5.

2. Learned counsel appearing for the Corporation submits that they have already issued notice to respondent No.5 and the proceedings are pending. Learned counsel for the Corporation says that proceedings shall be concluded and brought to logical conclusion at the earliest.

3. Taking into consideration the nature of grievance raised by the petitioner before this Court and the statement made, learned counsel for the Corporation at this stage, I am not inclined to keep this matter pending, the petition is, therefore, disposed off with the liberty to the Corporation to act in accordance with law. If the petitioner alleges violation of his easementary rights due to act of respondent No.5, the petitioner would be at liberty to take recourse to remedy as may be available to him under the law.

Sd/-

Manindra Mohan Shrivastava

J U D G E