

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1511 of 2015

Smt. Parveen Jahan W/o Shri Eklakh Hussain Aged About 38 Years R/o Rasulpur,
Ambikapur, District Surguja At Ambikapur Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration Development Department, DKS Bhawan, New Mantralaya, Raipur Chhattisgarh
2. The Director, Urban Administration Development Department, D.K.S. Bhawan, Mantralaya, New Raipur, Raipur Chhattisgarh
3. The Collector, Ambikapur, District Surguja At Ambikapur Chhattisgarh
4. The Municipal Corporation Through The Commissioner, Ambikapur, District Surguja At Ambikapur Chhattisgarh

---- Respondents

Shri Kishore Bhaduri, counsel for the petitioner/s.
Shri S.P.Kale, Dy.A.G. for the State/respondents 1 to 3 on advance copy.
Shri Bhupendra Singh, counsel for respondent No.4 on advance copy.

Order On Board

26/08/2015

On the apprehension that pursuant to communication of the Collector, the Corporation may proceed to cancel petitioner's lease, this petition has been filed.

2. Learned counsel for the petitioner submits that the Collector is repeatedly writing to the Corporation to cancel the lease of the petitioner. He submits that the Collector has no jurisdiction to propose or recommend cancellation of lease under the scheme of C.G. Municipal Corporation Act.

3. Learned counsel for the Corporation submits that till date the Corporation has not passed any order of cancellation of lease against the petitioner. Therefore, the petition is premature.

4. Considering the aforesaid submission, I am not inclined to entertain the petition only because the Collector has written letter to the Corporation. The

petition is accordingly dismissed.

5. In the event, Corporation passes any order prejudicial to the interest of the petitioner, it would be open for the petitioner to take recourse to remedy as may be available to him under the law.

Sd/-

Manindra Mohan Shrivastava
Judge

Deepti