

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 1526 of 2015**

Dhawal Sai Seva Samiti Gram Hudco, MIG-1/65, Amadi Nagar, Hudco, Bhilai, District Durg, Through: President Y. R. C. Rao, S/o Late Y. N. Murty, Aged About 50 Years, R/o Hudco Sector, Bhilai, District Durg, (Chhattisgarh)

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh Through: Secretary, Administration, Town And Country Planning Department, Mahanadi Bhawan, Mantralaya, Raipur, (Chhattisgarh)
2. Municipal Corporation, Through: The Commissioner, Municipal Corporation, Bhilai, District Durg, (Chhattisgarh)
3. Administrative Officer, Zone-1, Nehru Nagar, Municipal Corporation, Bhilai, District Durg, (Chhattisgarh)

**---- Respondents**

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|---------------------------|---|----------------------------------------------------------------------------------|
| For Petitioner            | : | Shri T.K. Tiwari, Advocate                                                       |
| For Respondent No.1/State | : | Shri Vinod Tekam, Panel Lawyer on advance copy.                                  |
| For Respondent No.2 & 3   | : | Shri H.B. Agrawal, Senior Advocate with Smt. Itu Rani, Advocate on advance copy. |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**25/08/2015**

Heard.

1. Learned counsel for the petitioner submits that a notice of removal of temple has been issued by the respondents Corporation granting the petitioner only 48 hrs. He submits that the temple has been constructed on small piece of land admeasuring 20x30 ft., which was earmarked by the Bhilai Steel Plant Unit of Steel Authority of India about 15 years before.
2. Learned counsel for the respondents submits that notice has been given because according to the records of the respondents, the construction is made on Government land.

3. The petitioner has not produced any material on record to show that there was any allotment/ reservation of land for construction of temple. However, considering the submission that if the petitioner is granted sufficient time it be able to satisfy the authority regarding valid authority, and if any demolition takes place before such opportunity to satisfy the authority, the purpose of filing the petition would be frustrated, this petition is finally disposed off at this stage granting the petitioner 30 days time to submit before the Corporation authority, the evidence of valid allotment/permission from any competent authority of the Steel Authority of India Unit at Bhilai. For a period of one month, the respondents shall not carry any demolition proceedings.

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

5. Certified copy today.

Sd/-

**Manindra Mohan Shrivastava**

**J U D G E**