

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No.775 of 2015

Dhawal Sai Seva Samiti Gram Hudco , M I G - 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 : The 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 .

---- Respondent

For Petitioners	:	Shri T. K. Tiwari, Advocate
For Respondent No.1	:	Shri Vinod Tekam, Panel Lawyer
For Respondent No.2 & 3:		Shri H. B. Agrawal, Sr. Adv. With Smt. Meera Jaiswal, Adv.

Order On Board

23/09/2015

Learned counsel for the petitioner submits that earlier the writ petition filed by the petitioner was disposed off granting liberty to the petitioner to submit evidence of allotment/permission from the competent authority of the Steel Authority of India Limited at Bhilai and protective umbrella of one month was provided to the petitioner and in this regard, an application was also submitted by the petitioner before the respondent authorities, but relevant documents have not been supplied so far. It is submitted that the petitioner is apprehending that the temple may be demolished immediately after 30 days which will expire on 23-09-2015. In this situation, prayer has been made for

granting one more indulgence and extension of earlier period of 30 days.

2. Shri Agrawal, learned Senior Counsel for respondent-Corporation submits that as the petitioner has failed to submit any document till date, he is not entitled to further extension.

3. Considering the submission of learned counsel for the parties, particularly taking into consideration that the petitioner has applied before the competent authority of the Steel Authority of India Limited for supply of necessary documents/evidence, which as they claim, has not been supplied till date, in the interest of justice, I am inclined to grant one more indulgence to the petitioner. Further period of 45 days with effect from 23-09-2015 is given to the petitioner to submit necessary documents before the competent Corporation Authorities as referred to in earlier order dated 25-08-2015. For a period of 45 days, the respondent authorities shall not carry out any demolition proceedings. It is also made clear that in case, the petitioner fails to satisfy the authority, before any demolition takes place, the petitioner would be granted some time to take steps for appropriate displacement.

4. With the aforesaid observation, this petition is finally disposed off.

Sd/-
Manindra Mohan Shrivastava
Judge