

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 887 of 2015**

M/s I Square Infrastructure & Developers (Wrongly Mentioned In Impugned Order As M/s I Skyers Infrastructure & Developers) Through Its Partner Defendant No. 5 In Civil Suit, Smt. Tushara Girish R/o Qtr. No. 3 A, Street No. 22, Sector No. 5, Police Station Kotwali, Bhilai, District Durg (Chhattisgarh).....Defendant No. 5

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Principal Secretary Department Of Housing And Environment, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).....Defendant No. 1
2. Director, Directorate Of Town & Country Planning, Raipur (Chhattisgarh).....Defendant No. 2
3. Joint Director, Town & Country Planning Regional Office, Durg (Chhattisgarh).....Defendant No. 3
4. Bhilai Municipal Corporation, Through Its Commissioner, Bhilai, District Durg (Chhattisgarh).....Defendant No.4
5. Ashish Paryavaran Sanrakshan Samiti, Bhilai, Through The Secretary Shri Vijendra Kumar Choudhary S/o Shri Jagnarayan Choudhary, Aged About 44 Years, R/o Plot No. 4- B, Street - 15, Ashish Nagar (W) Risali, Bhilai, Tahsil & District Durg (Chhattisgarh).....Plaintiff No. 1
6. Vijay Kumar Uplopwar S/o Late Gopal Rao Uplopwar, Aged About 62 Years R/o A- 4, Street 15, Ashish Nagar (W), Risali, Police Station Bhilai, District Durg (Chhattisgarh).....Plaintiff No. 2
7. Smt. Laxmi W/o T. Balkrishna, R/o Plot No. 95, Pragati Nagar, Bhilai, Police Station Newai, Tahsil And District Durg (Chhattisgarh).....Intervener

---- Respondents

For Petitioner	:	Shri Sunil Pillai, Advocate.
For Respondent No.1 to 3	:	Shri Varun Mishra, Panel Lawyer.
For Respondent No.4	:	Shri Shivraj Singh, Advocate.

Order On Board**28/10/2015**

1. After some arguments on admission, Learned counsel for the Petitioners submits that the instant Writ Petition (227) may be disposed of with liberty to make a prayer before the trial Court after furnishing his written

statement for framing the issues on the basis of the pleadings of both the parties and to press the issues framed on the basis of the pleadings of the Petitioner, which is the subject matter of the instant WP (227) to be heard and disposed of as a preliminary issue.

2. On due consideration, the instant WP (227) is disposed of and the Petitioner shall be at liberty to make a prayer before the trial Court for raising preliminary issues framed on the basis of the pleadings of the Petitioner in the Written Statement and the same may be heard and disposed of as preliminary issues as per law.

3. No order as to costs.

Sd/-
Chandra Bhushan Bajpai
Judge