

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 379 of 2016

- Bhagwati Lal Jain S/o Late Shri Nathmal Jain, Aged About 63 Years R/o 20, Chaube Colony, Raipur (Chhattisgarh) 492001.

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Government Of Chhattisgarh, Town & Country Planning Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, (Chhattisgarh).
2. The Director, Town & Country Planning, Raipur, (Chhattisgarh).
3. Municipal Corporation, Through Commissioner, Municipal Corporation Raipur, District Raipur, (Chhattisgarh).

---- Respondents

For Petitioner	:	Mr. Anmol Sharma, Advocate
For Respondents 1 & 2	:	Mr. Ramakant Mishra, Dy. Advocate
General.		
For Respondent No. 3	:	Mr. Anil Tawadkar, Advocate

(Hon'ble Shri Justice Manindra Mohan Shrivastava)
Order On Board

10/02/2016

1. This petition has been filed by the petitioner on the apprehension that the Respondent together or individually may demolish the house and dis-possess him from the part of his house and land in course of widening of the road.
2. Upon being inquired, learned counsel for the Petitioner could not satisfy the Court whether he has been issued any notice of either removal of any encroachment on such allegations or any other kind of notice.
3. Learned counsel for the Respondents submits that if the Respondents require the land from the petitioner, they shall proceed in accordance with law.
4. There is a presumption that the State Authority shall act in accordance with law.
5. This petition is based on apprehension and there is a presumption that the State Authority shall act in accordance with law, therefore, the petition is dismissed at this stage with liberty, if occasion so arises.

Sd/-
(Manindra Mohan Shrivastava)
Judge