

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 60 of 2016

Smt. Anita Toppo W/o Shri Anup Kumar Toppo, Aged About 31
Years R/o Village- Dingapur, Korba, Tehsil & Distt.- Korba,
Chhattisgarh

---- **Petitioner**

Versus

1. Ajay Kumar Agrawal, Commissioner, Nagar Palik Nigam, Korba,
Distt.- Korba, Chhattisgarh
2. Ali Bax, Estate Officer, Nagar Palik Nigam, Korba, Distt.- Korba,
Chhattisgarh(Contemnors/ Respondent No. 2 & 3)

---- **Respondents**

For Petitioner : Shri Sanjay Patel, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/02/2016

Heard.

1. The grievance of the petitioner is that despite order of cancellation of allotment of shop having been set aside by this Court vide order dated 16.10.2015, the petitioner is not being allowed to open the shop.

2. The legal consequences flowing from the order of this Court passed earlier on 16.10.2015 is that there does not exist any order of cancellation or closure of shop. Therefore, the petitioner have all the authority to open the shop and this Court has already given liberty to the respondent to give show cause notice and then decide the case of the petitioner. It does not mean that till the matter is decided, the petitioner would not be allowed to open the shop. No order of Commissioner is necessary for opening of the shop. If anyone interferes with the opening of the shop of the petitioner including the authority of the Corporation, it shall be treated as an act of violation of

Court's order and strict action would be taken.

3. A copy of this order would be served to the Superintendent of Police, who shall take action against anyone who obstructs to opening of the shop.

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

Sd/-

(Manindra Mohan Shrivastava)
J U D G E

Rekha