

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1256 of 2015

Amendra Kumar Shrivastava S/o Shri Ram Sewak Shrivastava Aged About 43 Years R/o Ward No. 7, Bemetara, Police Station- Bemetara, Civil And Revenue District- Bemetara (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Secretary Urban Administration Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, Civil And Revenue District- Raipur (Chhattisgarh)
2. Collector Bemetara, Police Station- Bemetara, Civil And Revenue District- Bemetara (Chhattisgarh)
3. Nagar Palika Parishad-Bemetara, Through- Its Chief Municipal Officer, Police Station- Bemetara, Civil And Revenue District- Bemetara (Chhattisgarh)

---- Respondents

Shri Vaibhav Goverdhan, counsel for the petitioner/s.
Shri Chandresh Shrivastava, counsel for the State.
Shri Santosh Bharat, counsel for respondent No.3.
Chief Municipal Officer, Nagar Palika Parishad, Bemetara is present in the Court with records.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/04/2016

The petitioner has filed this petition aggrieved by the action of the respondents in canceling allotment of petitioner's shop on ground that the shop has been allotted to the freedom fighter's family member.

2. As the respondents did not place any document to show that shop No.16 is reserved for freedom fighter's family member, this Court had directed to produce before the Court, original records. Original records produced before the Court and I find that shop No.16 has been reserved for freedom fighter's family members.

3. The agreement between the petitioner and the respondent- Municipal

Council shows that allotment was temporary and the reasons shown by the respondent authorities does not appear to be arbitrary and founded on records.

4. The petitioner cannot be granted any relief and the petition is liable to be dismissed.

5. Before parting with the case, it has to be observed that if the petitioner applies for allotment of any other shop which is lying vacant or likely to fall vacant, respondent No.3 may consider the candidature of the petitioner.

Sd/-

(Manindra Mohan Shrivastava)
Judge