

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 489 of 2015

- Balaji Gupta S/o Kedar Gupta, Aged About 37 Years Occupation- Grocery Shopkeeper, R/o Gupta Para, Ward No.10, Kawardha, P.S. Kawardha, Distt. Kabirdham, Revenue Distt. Kabirdham, Chhattisgarh(Petitioner)

---- Petitioner

Versus

1. Amitabh Sharma, Ex. Chief Municipal Officer, Municipal Council, Kawardha, Distt. Kabirdham, Chhattisgarh, Presently Posted At Municipal Council, Kharsia, Distt. Raigarh, Chhattisgarh
2. Sudesh Kumar Singh, Chief Municipal Officer Kawardha, District- Kabirdham, Chhattisgarh(Contemnors)

---- Respondent

For applicant

Shri P. P. Sahu, Advocate

For Non applicant No.2

Shri Ajit Singh, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/05/2016

1. This contempt petition arises out of the order dated 08.05.2013 passed by this Court in WPC No.599/2013.
2. Shri P. P. Sahu, learned counsel for the applicant, would submit that despite there being a resolution for allotment of shop No.5 at Bairagi Line, Kawardha, the applicant has not been allotted the shop, therefore, the occasion to file the present contempt petition has arisen.

3. Shri Ajit Singh, learned counsel appearing for the non applicant No.2, Shri Sudesh Kumar Singh, the present CMO of Municipal Council Kawardha, would draw attention to the additional reply and the documents filed therewith on 02.05.2016 to submit that the Municipal Council has passed a resolution on 03.02.2016, wherein at Item No.44, paragraph 5 of resolution No.3, the applicant has been proposed to allot shop No.5 at Bairagi Line, Kawardha. He would submit that for some bonafide reasons, the State Government has not taken up the said part of the resolution for approval, therefore, a fresh communication has been sent to the State Government on 23.04.2016 for approval of allotment of shop No.5 at Bairagi Line, Kawardha to the applicant. He would also submit that in the meanwhile, an order for allotment of the said shop has been issued in favour of the applicant on 13.04.2016 and advance possession has been handed over to the applicant on 28.04.2016. He would further submit that the required agreement shall be executed with the applicant after receipt of approval from the State Government.
4. In view of the foregoing, there appears substantial compliance of the order passed by this Court, therefore, no further action is required to be taken in this contempt petition, at this stage.
5. The contempt petition is accordingly disposed of, however, liberty is reserved in favour of the applicant to move again, if occasion so arises.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA