

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 155 of 2015

1. Chief Municipal Officer, Nagar Panchayat, Dabhra, District Janjgir-Champa, Chhattisgarh.

----- Petitioner

(Respondent No.6)

Versus

1. State Of Chhattisgarh, Through- Secretary, Department of Revenue, D.K.S. Bhawan (Old), Now- Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh
2. The Secretary, Department Urban Administration & Development, D.K.S. Bhawan (Old), Now- Mahanadi Bhawan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh
3. Collector, Janjgir-Champa, District Janjgir-Champa, Chhattisgarh.
4. Sub-Divisional Officer (Revenue), Dabhra, District Janjgir-Champa CG.
5. Tehsildar, Tehsil- Dabhra, District Janjgir-Champa, Chhattisgarh.
6. Amarnath Sahu S/o Late Shri Mani Ram Sahu, Aged About 75 Years Occupation- Business (Bharti Suhaag Bhandar), R/o Main Road, Dabhra, Infront Of Tehsil Office, Tehsil- Dabhra, District Janjgir-Champa, Chhattisgarh[Petitioner No.1 in W.P. (C)]
7. Smt. Ratan Kunwar Sahu W/o Late Shri Ram Das Sahu, Aged About 50 Years Occupation- Business (Mamta Kirana Store), R/o Main Road, Dabhra, Infront Of Tehsil Office, Tehsil- Dabhra, District Janjgir-Champa, Chhattisgarh[Petitioner No.2 in WP (C)]
8. Superintendent Of Police, Janjgir-Champa, District Janjgir-Champa, Chhattisgarh(Respondent No.7)
9. Station House Officer, Police Station- Dabhra, Tehsil- Dabhra, District Janjgir-Champa, Chhattisgarh(Respondent No.8)

---- Respondents

For Petitioners:	Shri Pawan Shrivastava, Advocate
For Respondents No.1 to 5, 8 & 9:	Shri Ashish Surana, Panel Lawyer.
For Respondent No.6 & 7:	Shri Sarfaraj Khan, Advocate.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

18/02/2016

1. By this petition the respondent No.6/applicant has prayed for modification in the order dated 2.9.2015 passed by this Court in W.P. (C) No.19/2012 wherein the petitioners/respondent No.6 & 7 herein have been directed to file appeal before the appellate committee as provided under Section 307 of the C.G. Municipalities Act, 1961 (henceforth 'the Act of 1961')
2. As per the applicant, since the petitioners/respondents No.6 & 7 are related to Nagar Panchayat, the appeal would lie to the Collector under Section 308 of the Act of 1961 and not before the appellate committee as mentioned in the order and therefore the order may be modified accordingly.
3. The above fact has not been disputed by the other side.
4. In view of above, the order dated 2.9.2015 is modified to the extent that the words "appellate committee as provided under Section 307 of the Chhattisgarh Municipalities Act, 1961", appearing in Para-2 & 4 of the order shall be now read as "appellate authority under Section 308 of the Chhattisgarh Municipalities Act, 1961". Rest of the order shall remain intact. However, it is made clear that counting of the period for filing appeal and deciding the same would be reckoned from today i.e. 18.2.2016.
5. A copy of the order dated 2.9.2015 passed in W.P.(C) No.19/2012 be supplied along with certified copy of this order.
6. The review petition is, accordingly, disposed of.

Sd/-

(Pritinker Diwaker)
Judge

roshan/-