

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 466/2016**

1. Rahul Jain S/o Shri B.L. Jain, Aged About 37 Years R/o 20, Choube Colony, Raipur, Distt. Raipur, (Chhattisgarh) 492001
2. Vikram Jain, S/o Shri B. L. Jain, Aged About 35 Years R/o 20, Choube Colony, Raipur, Distt. Raipur, (Chhattisgarh) 492001
3. Vipul Jian, S/o Shri B. L. Jain, Aged About 29 Years R/o 20, Choube Colony, Raipur, Distt. Raipur, (Chhattisgarh) 492001

---- Petitioners**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)

---- Respondent

For Petitioners	:	Shri Anmol Sharma, Advocate.
For Respondent/State	:	Shri Arun Sao, Deputy AG.
For Respondent No.3	:	Ms. Ruchi Nagar, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****29/08/2016**

1. It is informed by the learned counsel for the petitioners that similar writ petition bearing WPC No.175 of 2016 has been disposed of on 22.01.2016.
2. In the order passed in the said writ petition, copy of which has been obtained through the C.I.S., the petitioners had assailed the legality and validity of notice issued by the Municipal Corporation whereas in the

present case, there is no such notice issued against the petitioners.

3. Be that as it may, learned counsel appearing for the Municipal Corporation, Raipur, on advance notice would submit that if any part of the land belonging to the petitioners is required for any public purpose, the same shall be carried out only after following the relevant provisions of law.
4. In view of the above, the writ petition is disposed of with observation that in any such eventuality arises, as mentioned above, the petitioners would be at liberty to submit their reply before the Municipal Corporation, which shall be considered by the Corporation on its own merits.
5. A copy of the order passed in WPC No. 175 of 2016 is retained in the present file.
6. Petition stands disposed of.

Sd/-
Judge
(**Prashant Kumar Mishra**)