

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.2138 of 2015

1. Ram Kumar Thawait S/o Late Shri Hemachand Thawait, Aged About 60 Years (Owner Of Betel Shop), R/o Rambhatha, Behind Of Church, Raigarh, Police Station City Kotwali, Raigarh, Tahsil Raigarh, Civil And Revenue District Raigarh, (Chhattisgarh)
2. Krishna Kumar Thawait, S/o Late Shri Hemachand Thawait, Aged About 59 Years (Owner Of Tyre Repairing Shop), R/o Rambhatha, Behind Of Church, Raigarh, Police Station City Kotwali, Raigarh, Tahsil Raigarh, Civil And Revenue District Raigarh (Chhattisgarh)

---- Petitioner

Versus

1. The State Of Chhattisgarh Through: The Secretary, Nagriya Prashashan Avam Vikas Vibhag, Mantralaya, Mahanadi Bhawan, Naya Raipur, (Chhattisgarh)
2. The Collector, Raigarh, Civil And Revenue District Raigarh, (Chhattisgarh)
3. The Municipal Corporation, Raigarh, Through: The Commissioner, Municipal Corporation Raigarh, Civil And Revenue District Raigarh, (Chhattisgarh)

---- Respondent

For Petitioners	:	Shri Roop Naik, Advocate
For Respondent/State	:	Shri Satish Gupta, GA
For Respondent No.3	:	Shri R. R. Sinha, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

09/03/2016

Heard.

2. The petitioners have filed this petition on the apprehension that the respondent-Corporation may proceed to demolish the betel shop of the petitioners situated at Nazul Sheet No.33, Plot No.66, area 66 square feet at Raigarh. The petitioners have also prayed for a direction to follow the Adarsha Rehabilitation Policy, 2007 of the State Government prior to removal/demolition of shop of the petitioners.
3. Learned counsel for respondent-Municipal Corporation submits that at this

stage, the Corporation has no intention to remove/demolish the shop of the petitioner to carry out public purpose including widening of the road. He submits that if any decision is taken in future regarding removal/demolition, notice shall be given to the petitioner.

4. In view of aforesaid statement made above, the apprehension of the petitioners is dispelled.

5. Accordingly, the petition is finally disposed reserving liberty to the petitioners to file petition, in case, cause of action arises in future.

SD/-
Manindra Mohan Shrivastava
Judge