

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 504 of 2016**

Smt. Shanti Tiwari W/o Shri K.R. Tiwari, Aged About 52 Years R/o
Wardhman Colony, Jagdalpur, Distirct Jagdalpur Chhattisgarh

---- Appellant

Versus

1. State Of Chhattisgarh Thorugh The Secretary, Department Of
Municipal Corporation Mantralaya Chhattisgarh Raipur Chhattisgarh
2. The Municipal Corporation, Through Its Commissioner, Jangdalpur
Chhattisgarh
3. The Assistant Engineer, Water Distribution Section Of Department,
Nagar Palika Nigam, Jagdalpur Chhattisgarh
4. Vivek Shukla, S/o Late Ravishankar Shukla, R/o Nayapara Motilal
Nehru Ward Jagdalpur District Bastar Chhattisgarh

-----Respondents

For Petitioner:

Shri Ashok Kumar Shukla, Advocate.

For Respondent/State:

Shri YS Thakur, Additional Advocate
General.**Hon'ble The Chief Justice****Hon'ble Shri Justice Sanjay Agrawal****Order on Board****Per Deepak Gupta, Chief Justice****09/11/2016**

1. This Petition is directed against the order of the learned Single Judge whereby it was held that this Court, under Article 226 of the Constitution of India, could not direct withholding of essential services in favour of a person, who is in occupation of the premises in whatsoever capacity.

2. We are in agreement with the learned Single Judge. The remedy of the Petitioner lies either in filing a civil suit or approaching the Rent Control Tribunal or approaching the Permanent Lok Adalat or any other legal remedy as he may be advised but definitely, the remedy does not lie before this Court.

3. We therefore, find no merit in the appeal, which is accordingly dismissed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Sanjay Agrawal)
JUDGE

Priya