

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2026 of 2016

1. Ramnarayan Singh S/o Late Shri Omkar Singh, Aged About 70 Years Caste Rajput, R/o Sipahimuda (Darra), P.S. And Tahsil Shakti, District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Excise, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (Chhattisgarh)
2. The Collector, Janjgir Champa, District Janjgir Champa (Chhattisgarh)
3. The Additional District Magistrate, Janjgir Champa, District Janjgir Champa (Chhattisgarh)
4. The Sub Divisional Magistrate, Sakti, District Janjgir Champa (Chhattisgarh)
5. The Assistant Excise Officer, Janjgir Champa, District Janjgir Champa (Chhattisgarh)
6. The Municipal Corporation, Shakti, Through The Chief Municipal Officer, Shakti, District Janjgir Champa (Chhattisgarh)
7. Prakash Singh, S/o Shri Ramnarayan Singh, Aged About 40 Years R/o Sipahimuda (Darra), P. S. And Tahsil Shakti, District Janjgir Champa (Chhattisgarh), Presently Residing At Station Road, Ward No.16, Shakti, District Janjgir Champa (Chhattisgarh)

---- Respondent

For Petitioner	Shri Manoj Paranjape, Advocate
For Respondent/State	Shri U.N.S. Deo, Govt. Advocate
For Respondent No.6	Shri A.K. Kesharwani, Advocate
For Respondent No.7	Shri R.R. Singh, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/11/2016

1. At the very outset, learned counsel appearing for the respondent No.7 would raise an objection that as against the impugned order the petitioner has alternative remedy of preferring an appeal before the State Government in view of the provisions contained under Section 5 (3) of the Chhattisgarh Cinemas (Regulation) Act, 1952 ('the Act, 1952' in short).
2. At this juncture, Shri Paranjape, learned counsel appearing for the petitioner, would submit that since the renewal application has not been decided on merits, the petitioner had not preferred any appeal, however, if the appellate Court is directed to decide the appeal on merits, the petitioner is ready and willing to prefer an appeal, as per the time schedule fixed by the Court.

3. In view of the above, the writ petition is disposed of with a direction that in the event the petitioner prefers an appeal before the State Government to challenge the impugned order under Section 5 (3) of the Act, 1952 within a period of 30 days from today, the appellate authority shall consider and decide the same within a further period of 3 months. It is made clear that the appellate authority shall pass a reasoned order while deciding the petitioner's appeal.

Sd/-

Judge

Prashant Kumar Mishra

Gowri