

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 700 of 2016**

R.C. Gupta S/o Shri Chhotelal Gupta, Aged About 67 Years Proprietor Of M/s Piyush Chemical Industries, Industrial Area, Shed No.1, Industrial Institute, Dhamdha Road, Durg, Distt. Durg (Chhattisgarh), Through Power Of Attorney Holder Shri Anil Gupta, S/o Shri Ramnarayan Gupta, Aged About 58 Years, R/o Sadar Bazar, Durg, Distt. Durg (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Commerce And Trade Department, Mahanadi Bhavan, Naya Raipur, Distt. Raipur, (Chhattisgarh)
2. Sub Divisional Officer, Durg, Distt. Durg, (Chhattisgarh)
3. Competent Authority, Chhattisgarh Lok Parisar Bedakhli Adhikari, Durg, (Chhattisgarh)
4. Chief General Manager, District Trade And Industry Center, Durg, (Chhattisgarh)

---- Respondents

For Petitioner	: Smt. Fouzia Mirza, Advocate.
For Respondents/State	: Shri Prasun Bhaduri, GA.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/11/2016**

(1) Learned counsel appearing for the State would submit that order impugned has been passed under Section 5 of the M.P. Lok Parisar (Bedakhali) Adhiniyam, 1974 (hereinafter referred to as 'Adhiniyam, 1974'), which is appealable under Section under Section 9 of the Adhiniyam, 1974.

(2) Learned counsel for the petitioner would submit that procedure prescribed under Sections 4 & 5 of the Adhiniyam, 1974 has not been followed by the competent authority while evicting the petitioner. He further submits that Since order passed by the competent authority evicting the petitioner is

appealable under Section 9 of the Adhiniyam, 1974, he may allowed to prefer an appeal before the competent authority and the same may be directed to be decided expeditiously.

(4) Be that as it may, if the petitioner prefers appeal before the competent authority for redressal of his grievances within a period of 10 days, it is expected to be decided by the authority concerned within a period of 45 days from the date of receipt of copy of this order.

(5) With the aforesaid observations, the writ petition stands disposed of.

(6) The certified copy of the order impugned and other relevant documents be returned to the counsel for the petitioner, after furnishing an attested photocopy thereof.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-