

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
WP (C) No. 147 of 2017

Kanhaiya Lal S/o Late Lakhpatlal, aged about 69 years, R/o Village-Gopalpur, tehsil-Katghora, Distt.-Korba (CG)

---- Petitioner

Versus

Chandrabhawan Das S/o Bidhawan Das R/o village-Gopalpur, tehsil-Katghora, Distt.-Korba

---- Respondent

For Petitioner	:	Mr.Sanjay Patel, Advocate
For Respondent	:	Mr.Anand Shukla, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

5/7/2017

1. Learned counsel for the petitioner would submit that the Commissioner, Bilaspur Division, Bilaspur has set aside the order dated 28.9.2015 passed by the Sub Divisional Officer (R.), Katghora in favour of the petitioner even without issuing notice to him.
2. On the other hand, learned counsel for the respondent would support the impugned order.
3. I have heard learned counsel for the parties and perused the impugned order.
4. A careful perusal of the impugned order would show that the Commissioner, Bilaspur Division, Bilaspur has set aside the order passed by the Sub Divisional Officer (R.), Katghora in favour of the petitioner without noticing and hearing to him and that itself is sufficient to set aside the impugned order .
5. Accordingly, the impugned order is set aside. The appeal is restored to the original file of the Commissioner, Bilaspur Division, Bilaspur for hearing and disposal in accordance with law after hearing and

noticing to the parties.

6. The writ petition is allowed to the extent indicated hereinabove. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-