

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.6309 of 2008**

Rajendra Kumar Sinha, aged about 48 years, S/o late Shri Shyamlal Sinha, R/o Village Arjuni, Post Demar, Tahsil and District Dhamtari (CG).

---- **Petitioner****Versus**

1. State of Chhattisgarh through the Principal Secretary, Public Works Department, Government of Chhattisgarh, Secretariat DKS Bhawan, Raipur.
2. Sub Divisional Officer, Public Works Department, Government of Chhattisgarh, Sub Division Dhamtari, Tahsil and District Dhamtari (CG).
3. The Collector, Dhamtari, Tahsil and District Dhamtari.
4. Chief Executive Officer, Public Works (Road), Department Gayatri Mandir Risaipur, Dhamtari (CG).
5. Commissioner, Raipur Division, Raipur (CG).

--- **Respondents**

For Petitioner : Mr. V.G. Tamaskar, Advocate
 For State : Mr. Prasun Bhaduri, Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

22/11/2017

(1) Learned counsel appearing for the petitioner would submit that the petitioner's shop in question has been demolished by respondent No.2 stating that he is a encroacher upon the suit shop, whereas the suit shop was owned by the petitioner. He would further submit that without giving notice and without hearing the petitioner, the impugned order dated 29.01.2007 was passed by respondent No.2, against which he has made representation to the Collector, Dhamtari, but the same has not been considered and decided till this date.

(2) I have heard learned counsel for the petitioner and perused the impugned order.

(3) Be that as it may, the Collector, Dhamtari is directed to consider and decide the petitioner's representation after hearing the parties, strictly in accordance with law expeditiously within a period of 45 days from the date of receipt of certified copy of this order. However, the petitioner is at liberty to file fresh representation along with copy of order dated 02.05.1960 before the said authority in support of his case.

(4) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-