

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.1735 of 2016

1. Ramashankar Umar Vaishya S/o late Shri Ashrfi Lal, aged about 52 years, R/o Mahatma Gandhi Nagar, Camp-2, Bhilai, District Durg (CG).
2. Subhash Gupta, S/o Shri Prabhunath Gupta, aged about 42 years, R/o Mahatma Gandhi Nagar, Camp-2, Bhilai, District Durg (CG).
3. Achelal, S/o late Dhiraj, aged about 65 years, R/o Santosh Para, Near Keshav Memorial School, Camp-2 Bhilai, District Durg (CG).

---- Petitioners

Versus

1. State of Chhatisgarh, through Secretary, Urban Development, Nai Raipur (CG).
2. Collector, Durg, District Durg (CG).
3. Commissioner, Municipal Corporation Bhilai, District Durg (CG).

--- Respondents

For Petitioner : Mr. B.P. Singh, Advocate
For State/Respondents : Mr. H.B. Agrawal, Sr. Advocate with Ms. Prabha Sharma, Advocate and Mr. Mazid Ali, Panel Lawyer

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

19/07/2017

(1) Heard.

(2) Learned counsel appearing for the petitioners would submit that the petitioners have been granted lease by Municipal Corporation, Bhilai for running their business/shop, which is valid up to the year 2024, but on 17.06.2016 the order passed by the respondent authorities to vacate their shops in possession without giving proper opportunity of hearing to the parties and the same shops are likely to be allotted to other persons and

no show-cause notice was issued to them.

(3) I have heard learned counsel for the parties.

(4) In view of above, the respondent authorities are directed to give proper opportunity of hearing to the parties and pass afresh order strictly in accordance with law expeditiously preferably within a period of three months from the date of receipt of certified copy of this order.

(5) For a period of three months, the petitioners shall not be evicted from the shops in their possession as directed by order of this Court dated 18.07.2016.

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

SD/-

(Sanjay K. Agrawal)
Judge

L/-