

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.2053 of 2016

Jaiprakash Sinha, S/o Shri Churaman Sinha, aged about 26 years, R/o village & post Sikosa, Tahsil Gunderdehi, District Balod (CG).

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Rural Development Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (CG).
2. Collector, Balod, District Balod (CG).
3. Tahsildar, Gunderdehi, District Balod (CG).
4. Sarpanch Gram Panchayat Sikosa, Block Gunderdehi, District Balod (CG).

--- Respondents

For Petitioner : Mr. B.P. Singh, Advocate

For State/Respondents : Mr. Aditya Sharma, Panel Lawyer and Mr. Avinash Chand Sahu, Advocate

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

19/07/2017

(1) Heard.

(2) Learned counsel appearing for the petitioner would submit that the Gram Panchayat Sikosa, Block Gunderdehi, District Balod has granted patta in favour of the petitioner with the majority of the panchas, but all of sudden on 02.08.2016 the respondent authorities has demolished the house of the petitioner neither giving proper opportunity of hearing nor show-cause notice was issued to him.

(3) I have heard learned counsel for the parties and perused the impugned order with utmost circumspection.

(4) Since no opportunity of hearing was granted to the petitioner while demolishing the house of petitioner, the respondent authorities are directed to give proper opportunity of hearing to the petitioner 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 petitioner's house shall not be further demolished, if already not demolished as directed by order of this Court dated 16.08.2016.

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

Sd/-

(Sanjay K. Agrawal)
Judge

L/-