

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 123 of 2017**

Smt. Rashmi Agrawal W/o Shri Ratnesh Agrawal, Aged About 39 Years R/o Behind Kakali Temple, Kankalipara, Raipur (Chhattisgarh).

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Housing And Environment, Mahanadi Bhawan, Mantralaya, Post & P S Mandir Hasaud, Raipur (Chhattisgarh).
2. Raipur Development Authority Through Its Chief Executive Officer, Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur (Chhattisgarh)
3. Chief Executive Officer, Raipur Development Authority Second Floor, Bhakt Matakarma Commercial Complex, New Rajendra Nagar, Raipur (Chhattisgarh)

---- Respondents

For Appellant	: Shri Varun Sharma, Advocate.
For Respondent/State	: Shri Avinash Singh, Panel Lawyer.
For Respondents No.2 & 3	: Shri Sumesh Bajaj, Advocate.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri P. Sam Koshy, Judge.****Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****06/04/2017**

1. Though this matter is listed for orders on the office note, on the consent of Learned Counsel for the parties, this matter has been taken up for consideration.
2. Heard the Learned Counsel for the parties.
3. This appeal is only against the interlocutory order whereby the Learned Single Judge has issued an order clarifying that the Raipur Development Authority will be entitled to reallocate the subject plots to any other purchaser. Obviously, that having been issued through an interlocutory order, it will be subject to the final judgment in the writ petition.

4. We may however notice that the writ petition has been admitted only to the extent of Petitioner's entitlement to get refund of the forfeited amount. If the Petitioner has any grievance in relation to what transpired in the Court, that is not a matter to be entertained through an appeal.

5. Hence without prejudice to any other remedy as may be available to the Petitioner and also for final relief in the writ petition, this writ appeal is dismissed. Any third party interest which would happen as a result of any reallocation will not be disturbed unless such party is heard by the Court.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE

Anu