

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2783 of 2017

Arun Shukla S/o Devi Sahai Shukla, Aged About 60 Years Ganj - Mandi Area, Raipur, Civil & Revenue District Raipur 492001 Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Urban Development Town Planning And Administration, Mahanadi Bhawan, Naya Mantralaya, Post Office Naya Mantralaya, Police Station Rakhi, Civil And Revenue District Raipur, Naya Raipur 492002 Chhattisgarh.
2. Municipal Corporation Raipur, Through Its Commissioner, Office At New Corporation Building, Near Mahila Thana, Post Office Raipur, Police Station Civil Lines, Raipur 492001 Chhattisgarh.

---- Respondents

For Petitioners	: Shri Kshitij Sharma, Advocate.
For Respondent No. 1	: Shri Syed Majid Ali, Panel Lawyer
For Respondent No. 2	: Shri H.B. Agrawal, Senior Advocate with Shri Itu Rani Mukherjee, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/10/2017

(1) Learned counsel for the petitioner submits that the petitioner is a permanent lease holder of the suit land and the notice has been served upon him holding that he has illegally encroached upon the additional premises in his possession and directed to remove encroachment from his premises in question. He would further submit that no illegally encroachment has been made by the petitioner.

(2) Mr. H.B. Agrawal, learned Senior Counsel for respondent No. 2 would submit that petitioner may file reply before the Commissioner in this regard within three weeks from today. If such reply is filed by the petitioner, the same shall be considered and decided by the Municipal Corporation, Raipur within a further period of four weeks.

(3) In view of submission made by the learned counsel for the respondent No. 2, petitioner is directed to file reply before the Commissioner within a period of three weeks from today along with all the supporting documents and in that event the Municipal Corporation shall take a decision on the petitioner's reply and to pass speaking and reasoned order after hearing all the parties expeditiously preferably within a period of four weeks. The petitioner is also at liberty to file additional representation, if any. However, the Commissioner is also at liberty to take measurement of said land, if any, with the notice to the petitioners and the parties are directed to maintain status quo with regard to subject land for the period of eight weeks.

(4) With the aforesaid direction, the writ petition stands disposed of. No cost (s).

Sd/-

(Sanjay K. Agrawal)
Judge

D/-