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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2920 of 2017**

1. M/s Himalaya India Developers, A Partnership Under Relevant Provisions of the Partnership Act, 1932 Acting the Premises Through its Partner Shri Umesh Prasad Agrawal, S/o Shri Durga Prasad Agrawal, Aged about 36 years, Beside Hotel Chhattisgarh GE Road Telibandha Raipur.
2. Umesh Agrawal, S/o Shri Durga Prasad Agrawal, aged about 36 years, partner- M/s Himalaya India Developers, Raipur and R/o 313, Shri Raghuvir Sadan, Raas Garba Maidaan, Samta Colony, Raipur (C.G.)

**---- Petitioners****Versus**

1. State of Chhattisgarh Through Secretary, Department of Awas Evam Paryawaran, Secretariat, Mahanadi Bhawan, Naya Raipur District Raipur Chhattisgarh.
2. The Officer on Special Duty, Department of Awas Evam Paryawaran, Mantralaya, Naya Raipur
3. The Raipur Development Authority, Through its Chief Executive Officer, Naya Raipur District Raipur Chhattisgarh
4. The Commissioner Cum Director, Director, Town and Country Planning Department, Raipur Chhattisgarh
5. The Joint Director, Town and Country Planning Department, Raipur Chhattisgarh

**---- Respondents**


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| For Petitioners | : | Mr. B.P. Sharma, Advocate.                                                   |
| For Respondents | : | Mr. H.B. Agrawal and Mr. Pankaj Agrawal, Adv.<br>for respective respondents. |
| For State       | : | Mr.Arun Sao, Dy. Adv. General.                                               |

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order On Board****02/11/17**

1. Learned counsel appearing on behalf of the petitioner would submit that the petitioners' have made an application on 23.07.2016 for

development of their lands but that has been returned by Raipur Development Authority stating that they may make an application to the Town and Country Planning Authority and also submit that the application is required to be decided in view of the decision rendered by this Court in *Writ Petition (C) No. 1261/2015 (M/s Om Groups and others v. State of Chhattisgarh and others)* decided on 26.08.2016.

2. Mr. Arun Sao, learned Deputy Advocate General appearing on behalf of the State would submit that the petitioners are free to approach the Town and Country Planning Authority and their application will be considered and decided in accordance with law.

3. I have heard learned counsel for the parties.

4. Be that as it may, the petitioners are at liberty to approach the Town and Country Planning Authority along with the requisite documents and, in turn, the Authority shall consider and decide the petitioners' application in accordance with law and also keeping in view the decision of this Court in WPC No. 1261/2015 (supra) expeditiously preferably within a period of four months from the date of receipt of certified copy of this order.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

**(Sanjay K. Agrawal)**

Judge