

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.3159 of 2017**

1. Dashrath Sahu, S/o Late Shri Nanhe Lal Sahu, Aged 61 years,
 2. Ramnaresh Sahu, S/o Late Shri Nanhe Lal Sahu, Aged 43 years,
 Both R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

---- Petitioners

Versus

1. State of Chhattisgarh Through the Secretary, Department of Urban Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (CG)
2. The Commissioner, Municipal Corporation, Raipur (CG)
3. The Zone Commissioner, Zone No.1, Municipal Corporation, Raipur (CG)
4. The Collector, Dist: Raipur (CG)
5. The Tahsildar, Dist: Raipur (CG)
6. Chedilal Kesarwani @ Chedi Parshad, R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

---- Respondents

WPC No.3168 of 2017

1. Purshottam Dewangan, S/o Shri Tikau Dewangan, Aged 47 years,
 2. Smt. Koushalya Dewangan, W/o Purshottam Dewangan
 Both R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

---- Petitioners

Versus

1. State of Chhattisgarh Through the Secretary, Department of Urban Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (CG)
2. The Commissioner, Municipal Corporation, Raipur (CG)
3. The Zone Commissioner, Zone No.1, Municipal Corporation, Raipur (CG)
4. The Collector, Dist: Raipur (CG)
5. The Tahsildar, Dist: Raipur (CG)
6. Chedilal Kesarwani @ Chedi Parshad, R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

---- Respondents

WPC No.3176 of 2017

Shyam Kumar Satnami (Jangde), S/o Shri Naththu Ram @ Naththu Lal Satnami, Aged 51 years, R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.1, Gudhiyari, Dist.:Raipur (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through the Secretary, Department of Urban Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (CG)
2. The Commissioner, Municipal Corporation, Raipur (CG)
3. The Zone Commissioner, Zone No.1, Municipal Corporation, Raipur (CG)
4. The Collector, Dist: Raipur (CG)
5. The Tahsildar, Dist: Raipur (CG)
6. Chedilal Kesarwani @ Chedi Parshad, R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

---- Respondents

And

WPC No.3177 of 2017

Sanjay Agrawal S/o Shri Radheshyam Agrawal, Aged 52 years,
R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11,
Gudhiyari, Dist.: Raipur (CG)

---- Petitioner

Versus

1. State of Chhattisgarh Through the Secretary, Department of Urban Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur (CG)
2. The Commissioner, Municipal Corporation, Raipur (CG)
3. The Zone Commissioner, Zone No.1, Municipal Corporation, Raipur (CG)
4. The Collector, Dist: Raipur (CG)
5. The Tahsildar, Dist: Raipur (CG)
6. Chedilal Kesarwani @ Chedi Parshad, R/o Pahadi Chouck, Daanveer Bhama Shah Ward No.11, Gudhiyari, Dist.: Raipur (CG)

For Petitioners	:	Mr.Devershi Thakur, Advocate
For Respondents No.1,4&5	:	Mr.Dhiraj Wankhede, G.A.
For Respondent No.2 &3	:	Mr.H.B.Agrawal, Senior Advocate with Mrs.Prabha Sharma, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**24/11/2017

1. Since common question of law and fact is involved in these batch of writ petitions, they are heard together and are being disposed of by this common order.

- 2.** Mr. Devershi Thakur, learned counsel for the petitioners would submit that respondent-Municipal Corporation, Raipur has issued notice directing the petitioners to remove their encroachment, whereas they are not encroachers, they are land owners and purchased the lands by way of registered sale deed. He would further submit that the petitioners have made the representations claiming title over the suit lands that have not been considered by the respondent-Municipal Corporation. He would also submit that if the petitioners file fresh objections/representations within 7 days from today that will be considered by the respondent-Municipal Corporation expeditiously and till the objections/representations are decided, they should not be evicted from the suit premises.
- 3.** On the other hand, Mr. H. B. Agrawal, Senior Counsel along with Mrs. Prabha Sharma, learned counsel appearing for respondents No. 2 and 3 would submit that if the petitioners file fresh objections/representations that will be considered by the Municipal Corporation, Raipur expeditiously.
- 4.** Be that as it may, if the petitioners file fresh objections/representations before respondent-Municipal Corporation, Raipur within 7 days from today, that will be considered by the respondent-Municipal Corporation within further 3 weeks after hearing the petitioners and other affected parties and for the period of 4 weeks, no coercive steps shall be taken against the petitioners.
- 5.** With the aforesaid observation, the writ petitions finally stand

disposed of.

Sd/-

(Sanjay K. Agrawal)

Judge

B/-