NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 889 of 2017

Firm Shivnath Kamta Prasad Bartan Shop Through Its Proprietor Sanjeev Kumar Soni, Sardar Bazar, Bilaspur, District Bilaspur, R/o- Gondpara, Infront of Darji Mandir, Bilaspur, Chhattisgarh.

---- Petitioner

Versus

Devesh Kumar Soni S/o Late Hanuman Prasad Soni, Aged About 41 Years R/o Khova Mandi Line, Subhash Nagar, Gondpara, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner : Mr. Parag Kotecha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/11/17

1. By the impugned order dated 23.09.2017, the Rent Control Authority, Bilaspur has rejected the application for preliminary objection filed by the petitioner, being aggrieved against which this writ petition under Article 227 of the Constitution has been preferred by the petitioner.

2. Learned counsel appearing on behalf of the petitioner would submit that the impugned order is unsustainable and bad in law and deserves to be set aside.

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

4. Undisputedly, the order passed by the Rent Control Authority rejecting the preliminary objection raised by the petitioner is appellable under Section 13 of the Chhattisgarh Rent Control Act, 2011 (for short the 'Act of 2011')

and, therefore, the petitioner is at liberty to file an appeal / revision before the Rent Control Authority in accordance with the Act of 2011 who, in turn, is directed to consider and dispose of the petitioner's appeal expeditiously.

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

6. Certified copy of the impugned order be returned to the counsel for the petitioner on furnishing attested copy thereof.

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka