

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.1592 of 2016**

1. Smt. Bhagwati Devi W/o Late Shri Ravi Shanker Bajpai, Aged About 80 Years R/o Main Road, Jagdalpur, Civil & Revenue Distt. Bastar (Chhattisgarh)
2. Smt. Shakuntala Awasthi W/o Late Ramakant Awasthi, Aged About 75 Years R/o Main Road, Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).
3. Prateek Awasthi S/o Late Ramakant Awasthi, Aged About 47 Years R/o Main Road, Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).
4. Avadh Narayan Pandey S/o Late Raja Ram Pandey, Aged About 80 Years R/o Main Road, Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).
5. Dhruv Narayan Pandey S/o Late Raja Ram Pandey, Aged About 75 Years R/o Main Road, Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).

---- Petitioners

Versus

1. State Of Chhattisgarh Through : Secretary, Revenue Department, Mantralaya, Naya Raipur, Civil & Rev. Distt. Raipur (Chhattisgarh)
2. Secretary, Town And Country Planning, Housing And Environment, Mantralaya, Naya Raipur (Chhattisgarh).
3. Collector, Jagdalpur Civil & Revenue District Bastar (Chhattisgarh).
4. The Joint Director, Town And Country Planning Department, Jagdalpur, Civil & Revenue District Bastar, Chhattisgarh.
5. The Sub Divisional Officer Cum LAO, Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).
6. Municipal Corporation, Through The Commissioner, Municipal Corporation Jagdalpur, Civil & Revenue District Bastar (Chhattisgarh).

---- Respondents

For Petitioners	:	Mr.Akash Pandey, Advocate
For Res.No.1 to 5	:	Mr.Aditya Sharma, P.L.
For Respondent No.6	:	Mr.A.S.Kachhawaha and Ms Pushpa Dwivedi, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**06/10/2017

1. In compliance of the order dated 4.10.2017 Mr.A.K.Halder, Commissioner, Municipal Corporation, Jagdalpur is present before this Court.

2. Learned counsel for the petitioner would submit that the petitioners' have made construction on leased premises and leased premises has been partly demolished and drain has been constructed by the Municipal Corporation, Jagdalpur, for which they are entitled for compensation.
3. On the other hand, learned counsel appearing for respondent No.6 would submit that the petitioners themselves have permitted for demolition of construction made on leased premises, therefore, they are not entitled for compensation.
4. Considering the aforesaid submission, respondent No.6/Municipal Corporation, Jagdalpur is directed to consider the petitioners' application for grant of compensation in accordance with the provisions contained in Section 305 of the Chhattisgarh Municipal Corporation Act, 1956 within a period of two months from the date of receipt of copy of this order.
5. With the aforesaid observation, the writ petition finally stands disposed of. Presence of Mr.A.K.Halder, Commissioner, Municipal Corporation, Jagdalpur is dispensed with. No cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge

B/-