

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Writ Petition (C) No.1737 of 2016**

Rajman Sen, S/o late Mohan Sen, aged about 80 years, R/o Sasta Bazar, Camp-2, Powerhouse Bhilai, P.S. Chhawani, Sabji Market Shop No.50, Ward No.23, Bhilai, District Durg (CG).

**---- Petitioner**

**Versus**

1. State of Chhatisgarh, through Secretary, Department of Urban Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (CG).
2. Collector, Durg, District Durg (CG).
3. Commissioner, Municipal Corporation Bhilai, District Durg (CG).

**--- Respondents**

For Petitioner : Mr. B.P. Singh, Advocate  
For State/Respondents : Mr. H.B. Agrawal, Sr. Advocate with Ms. Prabha Sharma, Advocate and Mr. Mazid Ali, Panel Lawyer

**Hon'ble Shri Justice Sanjay K. Agrawal**  
**Order On Board**

**19/07/2017**

**(1)** Heard.

**(2)** Learned counsel appearing for the petitioner would submit that the petitioner has been granted lease by Municipal Corporation, Bhilai for running his business/shop, but on 16.06.2016 the order passed by the respondent authorities to vacate his shop in possession without giving proper opportunity of hearing to the petitioner and the same shop is likely to be allotted to other persons and no show-cause notice was issued to him.

**(3)** I have heard learned counsel for the parties and perused the

impugned order with utmost circumspection.

**(4)** In view of above, the respondent authorities are directed to give proper opportunity of hearing to the petitioner and pass afresh order strictly in accordance with law expeditiously preferably within a period of three months from the date of receipt of certified copy of this order.

**(5)** For a period of three months, the petitioner shall not be evicted from the shop in his possession as directed by order of this Court dated 04.01.2017.

**(6)** With the aforesaid observation, the writ petition stands finally disposed of.

SD/-

**(Sanjay K. Agrawal)**  
Judge

L/-