

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (PIL) No. 1 of 2017**

Nirmal Manik S/o Late Vijay Manik, Aged about 57 years,  
Occupation- Press Reporter, R/o Jabdapara, Sarkanda, P.S.-  
Sarkanda, District Bilaspur

**---- Petitioner****versus**

1. State of Chhattisgarh Through Secretary, Department of Urban Administration Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Director, Town & Country Planning Raipur, P.S.- Rakhi, Tehsil- Abhanpur, New Raipur, District Raipur (CG)
3. The Joint Director, Town & Country Planning Meena Bazar Colony, Kududand, Mungeli Naka, P.S. Civil Lines, District Bilaspur (CG)
4. The Commissioner, Municipal Corporation, Bilaspur, P.S. Civil Lines, Tehsil Bilaspur, District Bilaspur (CG)
5. The Collector, Bilaspur, District Bilaspur
6. Bilaspur Infrastructure Pvt. Ltd., Through its Director, Ashok Agarwal, S/o Late Jagmohan Das Agarwal, Aged about 52 years, R/o Kranti Nagar, P.S. Tarbahar, Tehsil- Bilaspur, District Bilaspur (CG)

**---- Respondents**


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For Petitioner : Shri H.S. Ahluwalia, Advocate

For State/Respondents : Shri Yashwant Singh Thakur,  
Additional Advocate General

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**Coram:** **Hon'ble Shri Deepak Gupta, Chief Justice**  
**Hon'ble Shri Sanjay Agrawal, Judge**

**Order on Board****17/01/2017**

1. This writ petition filed in the public interest is totally misconceived.

Admittedly the building, grievance against which has been made, has

already been constructed. If the Petitioner had so much public interest mind, he should have filed the petition when the construction was started because the grievance of the Petitioner is that a commercial structure has been permitted to be set up in a residential area.

2. After the building has been erected, we are not inclined to entertain the writ petition filed in the public interest. Therefore, the writ petition is dismissed. However, we make it clear that if the rights, whether easementary or any other rights of the resident of that area where the building has been constructed, have been affected, such affected persons if they so desire, may take recourse to law and approach the appropriate forum under the law.

Sd/-  
(Deepak Gupta)  
**CHIEF JUSTICE**

Sd/-  
(Sanjay Agrawal)  
**JUDGE**