

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 303 of 2018**

Smt. Raj Kumari Patel, aged 34 years, W/o Mahadeo Patel, R/o Sahid Bhagat Singh Colony, H. No. 309, Near Chhota Talab, SECL, Korba, Distt. Korba (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh through the Secretary Country and Town Planning, D.K.S. Bhawan, Mantralaya, P.S. Civil Lines, Raipur, C.G.)
2. Municipal Corporation, Korba, Through its Estate Officer, Korba, District Korba (C.G.)
3. Municipal Corporation, Korba through its Commissioner, Korba, Distt. Korba (C.G.)
4. Collector, Korba, Distt. Korba, Chhattisgarh
5. Tahsildar, Korba, Distt. Korba, Chhattisgarh

----Respondents.

For Petitioner	:	Mr. S.V. Purohit, Advocate.
For Respondents	:	Mr. Avinash Singh, Panel Lawyer
For Respondents No. 3 & 4	:	Mr. B.D. Guru, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/08/2018

(1) Learned counsel appearing for the petitioners would submit that the impugned order dated 29.09.2017 has been passed by respondent No. 2 without noticing and without giving any opportunity of hearing to the petitioners, which is unsustainable and bad in law, against which this writ petition has been filed questioning the same.

(2) Learned counsel for the respective respondents would support the impugned order.

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

order with utmost circumspection.

(4) Since the impugned order dated 20.09.2017 has been passed by respondent No. 2 without noticing and without giving proper opportunity of hearing to the petitioners, therefore, in the interest of justice, it would be appropriate to set aside the impugned order. Accordingly, the impugned order is hereby set aside. The Municipal Corporation, Korba is directed to issue notice to the petitioners with all the supported documents within four weeks from today and thereafter the petitioners will file their reply within a further period of four weeks. Thereafter, a final decision will be taken by the Municipal Corporation, Korba.

(5) Accordingly, the writ petition is allowed to the extent indicated hereinabove. No order as to costs.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-

