

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 490 of 2016

1. Sanjay Khandelwal S/o Shri Moolchand Khandelwal, Aged About 47 Years R/o Sai Mangalam Vyapar Vihar P. S. Tarbahar Tehsil Bilaspur Civil And Revenue District Bilaspur, Chhattisgarh
2. Dinesh Verma S/o Late Shri Shivshankar Verma Aged About 51 Years R/o Juna Bilaspur P. S. City Kotwali Tehsil Bilaspur Civil And Revenue District Bilaspur Chhattisgarh

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Versus

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh
2. The Director, Town And Country Planning Chhattisgarh, Raipur New Raipur, Capital Complex P. S. Rakhi Tehsil Abhanpur Civil And Revenue District Raipur Chhattisgarh
3. The Joint Director, Town And Country Planning, Meena Bazar Colony, Kududand Mungeli Naka P. S. Civil Lines, Tehsil Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh
4. Municipal Corporation Bilaspur Through The Commissioner, Municipal Corporation Bilaspur, Corporation Office Nehru Chowk, Bilaspur Chhattisgarh
5. The Collector Bilaspur District Bilaspur, Chhattisgarh. Police Station Civil Lines, Tehsil Bilaspur Civil And Revenue District Bilaspur, Chhattisgarh
6. Ashok Agrawal S/o Late Shri Jagmohan Das Agrawal, Aged About 50 Years Director Bilaspur Infrastructure Pvt. Ltd. R/o Kranti Nagar P. S. Tarbahar Tehsil Bilaspur District Bilaspur, Chhattisgarh
7. Ram Avtar Agrawal S/o Late Shri Jagmohan Das Agrawal, Aged About 52 Years Director, Bilaspur Infrastructure Pvt. Ltd. R/o Vinoba Nagar P. S. Tarbahar Tehsil Bilaspur District Bilaspur Chhattisgarh
8. Niranjana Lal Jindal S/o Late Shri Kundan Lal Jindal R/o Hira Arcades New Bus Stand Pandri P. S. Pandri Tehsil Raipur, Civil And Revenue District Raipur, Chhattisgarh
9. Aman Agrawal S/o Shri Ashok Agrawal Aged About 23 Years Director Bilaspur Infrastructure Pvt. Ltd. R/o Kranti Nagar P. S. Tarbahar Tehsil Bilaspur District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
10. Bilaspur Infrastructure Pvt. Ltd. Through Its Director Ashok Agrawal S/o Late Shri Jagmohan Das Agrawal Aged 50 Years, R/o Kranti Nagar P. S. Tarbahar Tehsil Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh

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For Appellants

: Shri RS Marhas, Advocate

For respective Respondents

: Shri JK Gilda, Advocate General with

Shri Gary Mukhopadhyay, Government
Advocate, Shri Prateek Sharma and Ms
Pushpa Dwivedi, Advocates

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu

Judgment on Board

Per Ajay Kumar Tripathi, Chief Justice

25.09.2018

1. Heard counsel for the parties.
2. Vide detailed judgment passed by the Division Bench on 13.09.2018 while deciding two Writ Appeals the issue which is the subject matter of the dispute was set to rest.
3. It is also pointed out that a previous prayer made by the appellants seeking to intervene in the dispute on the ground that they have a vested interest was also negated vide order dated 27.07.2017 passed in a bunch of Writ Appeals, the lead case being WA No.497 of 2016. In view of the same, the present appeal which assails order dated 20.09.2016 refusing to grant any concession or leeway to the appellants and holding that the decision of the Municipal Corporation, Bilaspur dated 04.07.2015 is substantive redressal of the grievance does not need to be interfered with.
4. The submission of learned counsel for the appellants that they be permitted to intervene before the Municipal authorities on the issue of compounding, which decision they are required to take is refused since it would be allowing to overcome what has been denied to them by a Division Bench in its order dated 27.07.2017 passed in the bunch of Writ

Appeals, specially Writ Appeal No.497 of 2016 and other analogous decisions.

5. Writ Appeal has no merit. It is dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge

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