

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.793 of 2010

Aniruddh Biswas, aged about 44 years, S/o Shri A.M. Biswas, Occupation Engineering R/o Hemu Nagar, Bilaspur, Tahsil and District Bilaspur (CG).

---- Petitioner

Versus

1. State of Chhattisgarh, through Secretary, Urban Area Development Department, DKS Bhawan Mantralaya Raipur (CG).
2. The Commissioner, Municipal Corporation, Bilaspur, District Bilaspur (CG).
3. Bhawan Adhikari, Municipal Corporation, Bilaspur, District Bilaspur (CG).

---- Respondents

For Petitioner : Mr. Ratnesh Kumar Agrawal, Advocate
For State/Respondents : Mr. Shashank Thakur, Govt. Advocate and Mr. B.L. Sahu, Advocate

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

05/01/2018

(1) The petitioner was granted supervisor license by the Municipal Corporation under M.P./C.G. Bhumi Vikas Adhiniyam, 1984 (for short, 'the Rule, 1984') on 05.06.1999 which was valid up to 31.03.2010, which has been revoked by respondent No.2 by impugned order dated 11.02.2010.

(2) Learned counsel appearing for the petitioner would submit that the petitioner's supervisor license has been revoked by the respondent No.2 by non-speaking and unreasoned order, which is unsustainable and bad in law.

(3) Learned counsel appearing for the respective respondents

would support the impugned order and oppose the submission made by the learned counsel for the petitioner.

(4) I have heard learned counsel for the parties, perused the impugned order and also gone through the impugned order with utmost circumspection.

(5) The revocation of the supervisor license of the petitioner issued under the Rule, 1984 has a civil consequence and impugned order passed by the respondent No.2 is non-speaking and unreasoned order. Therefore, in the interest of justice it would be appropriate to set aside the impugned order. Accordingly, the impugned order is hereby set aside and matter is remitted back to the Municipal Corporation, Bilaspur to hear the petitioner and pass order afresh strictly in accordance with law expeditiously within a period of 45 days from the date of receipt of certified copy of this order. The petitioner is at liberty to make additional representation, if any before respondent No.2 in support of his case.

(6) With the aforesaid observation, the writ petition stands finally disposed of. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-