NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No. 829 of 2018

Raju Lal Verma, S/o Shri Puranic Verma, Aged about 45 years, R/o Ward No. 30, In front of Gandhi Garden, Nagar Niagam Road, Nagar Palika Nigam, Beergaon, Police Station Urla, District Raipur Chhattisgrh.

---- Petitioner

Versus

1. State of Chhattisgrh Through Secretary, Urban Administration Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, Civil And Revenue District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

2. Joint Director, Nagar Tatha Gram Niwesh Regional Office, RDA Building, Shastri Square, Raipur, District Raipur Chhattisgarh.

3. The Collector, Raipur, District Raipur, Chhattisgarh.

4. Nagar Palika Nigam, Beergaon, Through its Commissioner, Beergaon, Police Station Urla, District Raipur Chhattisgarh.

5. The Building Officer, Nagar Palika Nigam, Beergaon, Police Station Urla, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

And

Writ Petition (C) No. 843 of 2018

Vishram Sahu, S/o Shri Kaliram Sahu, aged about 35 years, R/o Ward No.30, In front of Gandhi Garden, Nagar Nigam Road, Nagar Palika Nigam, Beergaon, Police Station- Urla, District – Raipur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgrh Through Secretary, Urban Administration Department, Mahanadi Bhawan, Mantralaya, Capital Complex, Naya Raipur, Civil And Revenue District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

2. Joint Director, Nagar Tatha Gram Niwesh Regional Office, RDA Building, Shastri Square, Raipur, District Raipur Chhattisgarh.

3. The Collector, Raipur, District Raipur, Chhattisgarh.

4. Nagar Palika Nigam, Beergaon, Through its Commissioner, Beergaon, Police Station Urla, District Raipur Chhattisgarh.

5. The Building Officer, Nagar Palika Nigam, Beergaon, Police Station Urla, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioners : Mr. Vaibhav A. Goverdhan, Advocate.
For State : Mr. Gary Mukhopadhyay, G. A.
For Respondents No. 4 & 5 : Mr. Rajnish Singh Baghel, Advocate.

Order On Board

28/03/18

1. The writ petitions have been preferred by the petitioners being aggrieved against the impugned order of demolition dated 28.02.2018 issued by respondent No. 5- Nagar Palika Nigam.

2. Learned counsel appearing for the petitioners would submit that the impugned order is unsustainable and bad in law as no demarcation has prior been made and the same has been passed without affording any opportunity of hearing to the petitioners.

3. Mr. Baghel, learned counsel appearing for respondents No. 4 and 5 would submit that petitioners have been called along with documents before the Municipal Corporation, Raipur on 03.04.2018.

4. I have heard learned counsel for the parties and perused the impugned order with utmost circumspection.

5. Be that as it may, on the date i.e. on 03.04.2018 the petitioners will be heard and if necessary further action will be taken and demarcation, if any, will be made and thereafter final order, if any, will be made by the Municipal Corporation, Raipur.

6. With the aforesaid observation, the writ petitions stand finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka