

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1551 of 2018**

- Sunil Baghel S/o Late G.S. Baghel, Aged About 58 Years R/o. Ward No. 51, Ravindranath Tagore Ward, Devpuri, Raipur, Tahsil And District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh, Through Secretary, Urban Administration Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur Chhattisgarh
2. Municipal Corporation, Through Its Commissioner, Raipur Chhattisgarh
3. Zone Commissioner, Zone No. 6, Municipal Corporation, Bhathagaon, Raipur, District Raipur Chhattisgarh
4. Secretary, District Regularization Authority And Joint Director, Town And Country Planning Department, Raipur, District Raipur Chhattisgarh
5. Collector, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Raghvendra Pradhan, Advocate
For Respondent No.1, 4 & 5:	:	Shri PK Bhaduri, Dy. GA for the State
For Respondent No.2 & 3 :	:	Shri Pankaj Agrawal, Advocate, on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****30/05/2018**

1. Heard.
2. The petitioner's grievance is that without copy of the order rejecting application for regularization having been supplied to the petitioner, the corporation is proceeding to demolish the construction.
3. Learned counsel for the petitioner submits that under Section 9 of the

Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam, 2002, the petitioner has remedy of appeal.

4. Learned State counsel submits that if the petitioner approaches the concerned authority who passed the order, he will be supplied the copy of the order rejecting his application for regularization.
5. Considering the submission made, instead of keeping this matter pending, it will be proper to dispose of writ petition itself with a direction that if the petitioner approaches respondent No.4 within a period of 3 weeks, order rejecting petitioner's application for regularization of irregular construction shall be supplied to him and the petitioner would be at liberty to prefer the appeal against the same and pray for stay. Respondent No.4 shall positively supply copy of the rejection order to the petitioner within a period of 10 days from the date of petitioner's appearance before him.
6. For a period of 45 days no demolition shall take place.

Sd/-

Manindra Mohan Shrivastava

Vacation Judge

Ashu