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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.3025 of 2017**

Smt. Sushila Soni W/o Gore Lal Soni, Aged About 44 Years R/o Dingapur, Korba, District Korba, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Municipal Corporation, Korba, Through Its Estate Officer, Korba, District Korba, Chhattisgarh.
3. Municipal Corporation, Korba, Through Its Commissioner, Korba, District Korba, Chhattisgarh.
4. Collector, Korba, District Korba, Chhattisgarh.
5. Tahsildar, Korba, District Korba, Chhattisgarh.

---- Respondents**And****WPC No. 2879 Of 2017**

Smt. Anita Toppo W/o Anup Kumar Toppo, Aged About 33 Years R/o Village Dingapur, Korba, District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Municipal Corporation Korba, Through Its Estate Officer, Korba, District Korba, Chhattisgarh
3. Municipal Corporation Korba Through Its Commissioner, Korba, District Korba, Chhattisgarh
4. Collector, Korba, District Korba, Chhattisgarh
5. Tahsildar, Korba, District Korba, Chhattisgarh
6. Ku. Dipti Singh, Shop No.9 And 11, Mahila Samridhi Yozna

Complex, Near Tehsil Office, Korba, District Korba, Chhattisgarh

--- Respondents

For Petitioner : Mr. Ashutosh Shukla, Advocate
For State/Respondents: Mr. Dilman Rati Minj, Dy.G.A. and Mr. S.S.
Baghel, Advocate

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

08/01/2018

(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 petitions under Article 226 of the Constitution of India has been filed by the petitioners herein.

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

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

(4) Since the impugned order dated 29.09.2017 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 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, final decision will be taken by the Municipal Corporation,

Korba.

(5) Accordingly, the writ petitions are allowed to the extent indicated herein above. No order as to costs.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-