

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 634 of 2018

R.C. Gupta, S/o. Shri Chhotelal Gupta, Aged About 67 Years, Proprietor Of M/s Piyush Chemical Industries, Industrial Area, Shed No.1, Industrial Institute, Dhamdha Road, Durg, District Durg Chhattisgarh, Through Power Of Attorney Holder Shri Anil Gupta, S/o. Shri Ramnarayan Gupta, Aged About 58 Years, R/o. Sadar Bazar, Durg, District Durg Chhattisgarh.

--- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Commerce And Trade Department, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Sub-Divisional Officer / Competent Authority, Chhattisgarh Lok Parisar, Bedakhali Adhikari, Durg District Durg Chhattisgarh.
3. Chief General Manager, District Trade And Industry Center, Durg District Durg Chhattisgarh.
4. Collector Durg, District Durg, Chhattisgarh.

-- Respondents

For Petitioner : Mrs. Fouzia Mirza, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.07.2018

1. The present petition is for seeking direction to the competent authority under the Chhattisgarh Lok Parisar (Bedakhali) Adhiniyam, 1974 (*for short "the Adhiniyam, 1974"*) to decide the case of the petitioner within a reasonable time.
2. The facts as would reveal that earlier an order of ejectment was passed by the competent authority under the Adhiniyam, 1974 for ejectment on 27.06.2016, which was subject of challenge in the writ petition before this Court and this Court by its order dated 16.11.2016 in W.P.(227) No.700 of 2016 has directed to file an appeal before the appellate authority under Section 9 of the Adhiniyam, 1974. Thereafter,

the appeal was decided by the appellate authority on 25.02.2017 and the case was remanded back to the competent authority for deciding the same according to the provisions of the Adhiniyam, 1974.

3. Perusal of the order sheet would show that after remand the case is pending before the competent authority for adjudication. It is contended that the petitioner was running an industry in the premises and all the materials were laying there, as such, the competent authority may be directed to decide the case as expeditiously as possible.
4. Considering the prayer made, it is directed that the competent authority shall be obliged to decide the case of the petitioner within an outer limit of six months from the date of receipt of a copy of this order.
5. With such observation, the petition stands disposed off.

**Sd/-
(GOUTAM BHADURI)
JUDGE**