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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2279 of 2018**

- Rishabh Green City Resident Welfare Society, Rishabh Nagar, Durg, Tahsil And District Durg Chhattisgarh Through Its Secretary, Kishore Jain, Aged About 43 Years, Son Of Shri Shobha Chand Jain., District : Durg, Chhattisgarh

---- Petitioner**Versus**

1. The State Of Chhattisgarh Through The Secretary, Department Of Urban Administration, New Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh
2. Smt. Anju Mittal W/o Shri Vikas Mittal Aged About 32 Years R/o C-34, Rishabh Green City, Pulgaon, District Durg Chhattisgarh.
3. The Municipal Corporation, Durg, Through Its Commissioner.
4. Mr. Basant Kumar Katariya, S/o Late Shri Champa Lal Katariya, Aged About 60 Years Colonizer, Proprietor, Rishabh Green City, Pulgaon, Ward No. 55, R/o 9/11, Rishabh Nagar, Durg, District Durg Chhattisgarh
5. The Director, Town And Country Planning, Durg Chhattisgarh.

---- Respondent

For Petitioner	Mr. Rahul Tamaskar, Advocate
For Respondent No.2	Mr. BP Sharma, Advocate
For Respondent- Corporation	Mr. HB Agarwal, Senior Advocate with Mrs. Iturani Mukherjee, Advocate
For Respondent /State	Mr. Avinash Singh, Panel Lawyer

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****13/11/2018**

1. Heard.

2. Mr. Rahul Tamaskar, learned counsel for the petitioner, would contend that respondent No.2 has been granted permission to raise construction on the land reserved for road.
3. Mr. BP Sharma, learned counsel for respondent No.2, would strongly refute the allegation. According to him, the Municipal Corporation, Durg has sanctioned the Building Plan in accordance with law permitting respondent No.2 to raise construction over her own land.
4. Let the parties appear before the Commissioner, Municipal Corporation, Durg, who shall examine the matter and take final decision in accordance with law within 12 weeks.
5. If any of the parties is aggrieved by the decision taken by the Commissioner, Municipal Corporation, Durg, it will be open for the parties to move before the jurisdictional Civil Court for redressal of their grievance.
6. The writ petition is accordingly disposed of.

Sd/-

(Prashant Kumar Mishra)

Judge

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