

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2373 of 2018**

- Mathai Varghese S/o Late Shri M. Varghese Aged About 51 Years R/o Shiv Mandir Colony, Vaishali Nagar, Bhilai District Durg, Chhattisgarh.

**---- Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Urban Administration Mantralaya, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Municipal Corporation Bhilai Through Its Commissioner, Bhilai, District Durg, Chhattisgarh.
3. Senior Sanitary Inspector Municipal Corporation Bhilai, Bhilai, District Durg, Chhattisgarh.

**---- Respondent**


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For Petitioner : Shri Amrito Das, Advocate.  
 For Respondent/State : Shri PK Bhaduri, Govt. Advocate.

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****27/08/2018**

1. It appears, the impugned order (Annexure-P/1) has been issued to the petitioner directing him to remove dairy farm within 24 hours. Contents of the communication would not indicate that the petitioner was issued any show cause notice or any opportunity of hearing was afforded to him before intending to take action as contemplated in the letter.
2. In the above circumstances, instead of keeping this writ petition

pending, it is deemed appropriate to dispose of the same with observation that in the event the petitioner prefers reply to the notice (Annexure-P/1) within a period of 15 days from today, the authority shall provide opportunity of hearing to the petitioner, including personal hearing and thereafter take decision in the matter within next 6 weeks.

3. Till the Corporation decides the issue, in the manner indicated above, the action contemplated vide Annexure-P/1 shall remain in abeyance.

Sd/-  
**Judge**  
(Prashant Kumar Mishra)

Barve