

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition(227) No. 752 of 2018

Anil Kumar Luniya S/o D. C. Luniya Aged About 48 Years R/o H. I. G.
110, Padmnabhpur, District Durg, Chhattisgarh..Plaintiff ---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Collector Durg,
Chhattisgarh.Defendants.
2. Naib Tahsildar Durg, Tahsil Office, Durg, Chhattisgarh. ..As Per Plaint.
---- **Respondents**

For Petitioner:

Shri Punit Ruparel, Advocate

For State:

Shri Anant Bajpai, Panel Lawyer.

Single Bench:Hon'ble Shri Sanjay Agrawal, J
Order On Board

25.09.2018

1. This writ Petition has been preferred under Article 227 of the Constitution of India against the order dated 26.07.2018, by which the Plaintiff's prayer to file reply with regard to memo dated 18.05.2017 has been refused.
2. Shri Punit Ruparel, counsel for the Petitioner submits that the alleged memo has been taken on record without providing any sufficient opportunity of hearing to the Plaintiff/Petitioner. The order impugned is apparently illegal, and therefore, deserves to be set aside.
3. Having considered the facts and circumstances of the case and that by considering the alleged memo dated 18.05.2017 issued from the office of Collector, which was submitted just for an information, and therefore, no reply is needed as contended by counsel for the Petitioner.
4. Under such circumstances, I do not find any infirmity in the order impugned refusing the prayer of the Plaintiff/Petitioner to file reply with regard to the said memo.
5. Consequently, the petition is dismissed at motion stage itself.

Sd/-

(Sanjay Agrawal)
JUDGE