

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCC No. 731 of 2018

Sharad Sharma S/o S. S. Sharma Aged About 45 Years Colonizer, R/o M.I.G. 197, Padmnabhpur Durg, District- Durg, Chhattisgarh.

---- **Petitioner**

Versus

1. Municipal Corporation Through The Commissioner, Office At Town Hall Rajnandgaon, District- Rajnandgaon, Chhattisgarh.
2. State Of Chhattisgarh Through The Secretary Local Self Government Department D.K.S. Bhawan Raipur, Chhattisgarh.....(Now Address New Raipur, Chhattisgarh.

---- **Respondents**

01/10/2018	Shri Anup Majumdar, Advocate for the petitioner. Shri Mazid Ali, Dy. Govt. Advocate for the State. The present MCC has been filed seeking modification of the order dated 13.08.2018 passed by this court in WPC No.2471 of 2010. The relevant portion which requires modification is paragraph No.6 of the said order and the same for ready reference is being reproduced hereinunder: “Considering the dispute raised between the parties with the consent of the parties, this Court is inclined to dispose of the writ petition with a direction that let the petitioner and the officer of the respondent No.1 appear at the disputed site on the 20th of August, 2018 at 3 p.m. and conduct a physical verification in respect of the internal development of the property in question and thereafter the petitioner should be granted minimum of three months’ time for curing the deficiencies, if any, and thereafter proceed further and pass suitable order.” The counsel for the petitioner submits that after disposal of the writ petition he was unable to contact the petitioner who infact had gone to Bangalore for the treatment of his seriously ailing daughter and therefore on the date given by this court the petitioner could not appear along with authorities for inspection and prays for modification by granting a fresh date.

The said prayer is not opposed by the State.

Accordingly, the present MCC stands allowed and the order dated 13.08.2018 in WPC No.2471 of 2010 stands modified to the extent that the petitioner shall now make himself available on 23.10.2018 and the respondent No.1 shall also take all necessary steps to ensure that the inspection is conducted on 23.10.2008 in presence of the petitioner and thereafter to proceed further in accordance with directives given by this court in its order dated 13.08.2018.

The order dated 13.08.2018 stands modified to the aforesaid extent. Let a copy of this order be made part of the records of WPC No.2471 of 2010.

It is the responsibility of the petitioner to bring the order of this court to the notice of respondent No.1 promptly within 72 hours.

Sd/-
(P. Sam Koshy)
Judge