

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2430 of 2018**

- Mohd. Sultan S/o S/o Late Shri Sheikh Ramjan Aged About 39 Years R/o Moudhapara Near Afroj Bag Raipur, Tahsil And District Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Municipal Corporation Raipur Through Commissioner, Municipal Corporation Raipur, District Raipur, Chhattisgarh.
2. Collector Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Petitioner

Mr. CR Sahu, Advocate

For Respondent/State

Mr. Shashank Thakur, Govt. Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****4/9/2018**

1. Heard.
2. In the petitioner's earlier writ petition i.e. WPC No.1078/2018, this Court directed the Collector, Raipur to consider and decide the petitioner's application for allotment of shop within a period of 4 weeks. Pursuant to the said order, the impugned order -Annexure P/1 has been passed by the Commissioner, Municipal Corporation, Raipur *inter alia* mentioning that the names of the petitioner or his father late Sheikh Ramjan or his grand father late Khwaja Hussain are not entered into in any of

the record of the Corporation for last 40 years, therefore, he being not a previous allottee of a shop within the subject property, he is not entitled for allotment of shop.

3. If the petitioner had encroached some area and was occupying the premises as encroacher but not as an allottee, the scheme prepared by the Municipal Corporation for rehabilitation of the previous allottees would not cover him.
4. The petitioner has not preferred any such document which will prove that on any previous occasion, he was allotted shop at Jawahar Bazar, therefore, the petitioner is not entitled to any relief.
5. The petition sans substance is liable to be and is hereby dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna