

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3129 of 2018

1. Manoj Kumar Lunkad S/o Prakash Chand Lunkad Aged About 42 Years R/o House No.P-4, Anupam Nagar, Raipur Chhattisgarh
2. Saket Lunkad S/o Prakash Chand Lunkad, Aged About 34 Years R/o House No.P-4, Anupam Nagar, Raipur Chhattisgarh

---- Petitioner

Versus

1. The Municipal Corporation, Raipur Through Its Commissioner, Municipal Corporation, Raipur Chhattisgarh
2. Zone Commissioner, Zone No. 4, Municipal Corporation, Raipur Chhattisgarh
3. Raipur Smart City Limited, A Company Duly Incorporated Under The Relevant Provisions Of The Companies Act, Acting In The Premises Through Its Managing Director Having Its Head Office At Near Mahila Police Station, Gandhi Chowk, Kalibadi, Raipur

---- Respondent

WPC No. 3133 of 2018

- Shri Lakshman Chugani (H.U.F.) Aged About 37 Years Through Karta, Atul Chugani, Aged About 37 Years, S/o Late Lakshman Chugani, R/o C-59, Sector-1, Devendra Nagar, Raipur Chhattisgarh

---- Petitioner

Versus

1. The Municipal Corporation Through Its Commissioner, Municipal Corporation, Raipur Chhattisgarh
2. Zone Commissioner, Zone No. 4, Municipal Corporation, Raipur Chhattisgarh
3. Raipur Smart City Limited, A Company Duly Incorporated Under The Relevant Provisions Of The Companies Act, Acting In The Premises Through Its Managing Director, Having Its Head Office At Near Mahila Police Station, Gandhi Chowk, Kalibadi, Raipur

---- Respondent

For Petitioners
For Respondents

Shri Ankur Agrawal, Advocate
Shri Pankaj Agrawal, Advocate

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

14/11/2018

1. The impugned show cause notice has been issued by the Municipal Corporation, Raipur directing the petitioners to remove the hoardings erected in front of the shops, as the Municipal Corporation is undertaking beautification and re-development work under the Smart City Project.
2. Learned counsel for the Corporation, appearing on advance copy, would refer to Clause 10 of the lease agreement, which specifically provides that before putting on sign board, the applicant shall obtain prior permission from the Corporation about the size, design and colour of the sign board, which the petitioners have not obtained.
3. Let the petitioners move before the Corporation seeking approval of the size, design and colour of the sign board, which they desire to erect in place of the present hoardings, which have been put up in front of the shop. The petitioners shall appear before the Commissioner, Municipal Corporation, Raipur within a week. Thereafter, the Commissioner shall instruct the petitioners, as above, within next 15 days.
4. Till then, the hoardings presently erected by the petitioners shall not be pulled down.

Sd/-
Prashant Kumar Mishra
Judge

Nirala