

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 9 of 2014

1. Ravindra Sharma And Anr. S/o Shri Lt Shri K.D.Sharma Aged About 48 Years R/o Vindhyachal Enclave Near Gujarati Colony, Purana Raipur Road, Ps Dhamtari Kotwali, Distt Dhamtari, CG
2. Pyarelal Sharma S/o Shri Lt Shri Rattiram Sharma Aged About 75 Years R/o Maruti Vihar Colony, Purana Raipur Road, Ps Dhamtari Kotwali, Distt Dhamtari, CG,

---- Petitioners

Versus

1. State Of Chhattisgarh And Ors. S/o Through Secretary, Department Of Urban Administration, Mantralaya, Mahanadi Bhawan, Naya Raipur, Distt Raipur, Chhattisgarh
2. Collector Dhamtari, Distt Dhamtari, Chhattisgarh
3. Municipal Council Dhamtari, Through Its Chief Municipal Officer, Distt Dhamtari, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vinay Pandey, Advocate
For State	:	Mr. Rahul Jha, G.A.
For Respondent	:	Mr. Sumesh Bajaj, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24.04.2019

Heard

1. The present petition is filed for the following reliefs:
 - 1.(a). That the petitioners most humbly and respectfully prays to this Hon'ble Court to issue appropriate writ/ order/ direction to the Respondent No. 2 and Respondent No. 3 to take necessary steps for removal of encroachment that has been done in the road and drain of the petitioner's colony i.e. Gujarati colony and other adjacent colony situated in National Highway, Raipur Road opposite to Timber Bhawan.

- 1.(b). That the petitioner most humbly and respectfully prays to this Hon'ble Court to issue appropriate writ/ order/ direction to the Respondent No. 2 and Respondent No. 3 to ensure, that petitioners may have uninterrupted access over the sanctioned road of the Gujarati colony and other adjacent colony situated in National Highway, Raipur Road opposite to Timber Bhawan.
- 1.(c). Any other relief whatever, this Hon'ble Court may deem fit and proper may also be granted to the petitioner.
2. Considering the averments made in the petition, it appears that the nature of dispute requires the evidence to be led by the parties. The issue involved cannot be gone into by this Court in exercise of power under Article 226 of the Constitution of India.
3. The petitioner would be at liberty to take recourse before the appropriate forum under the law.
4. With such liberty, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
JUDGE