

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 368 of 2011**

- Smt. Anita Meghani W/o Shri Mansha Ram Meghani, aged about 42 years, R/o Behind Prem Kunj Civil Lines Raipur (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Department of Town & Country Planning, D.K.S. Bhawan, Mantralaya, Raipur
2. Municipal Corporation, Raipur Through Its Commissioner, Municipal Corporation Raipur
3. The Commissioner, Municipal Corporation Raipur

---- Respondents**WPC No. 1254 of 2011**

- Smt. Mohini Bai W/o Shri Kartaar Lal Mandhani, aged about 59 years, R/o Bhatapara (Mata Devalaya) Raipur Tahsil and District Raipur CG

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Secretary, Department of Town & Country Planning, D.K.S. Bhawan, Mantralaya, Raipur
2. Municipal Corporation, Raipur Through Its Commissioner, Municipal Corporation Raipur
3. The Commissioner, Municipal Corporation Raipur

---- Respondents

For Petitioners	:	Shri Chakresh Tiwari, Advocate
For Respondent/State	:	Shri Rahul Jha, GA
For Respondents No.2 & 3	:	Shri UNS Deo, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****16/07/2019**

1. Heard.
2. Learned counsel for the petitioners would submit that in similar batch of writ petitions bearing WPC No.1713 of 2011 and other connected matters, order was passed on 23.01.2018 by the co-ordinate Bench of this Court, however, these two writ petitions were left out as they fell under the exception to that Bench. He would further submit that these writ petitions were filed on 12.01.2011 and 25.02.2011, respectively, and during pendency of the petitions, the order dated 28.06.2011 has been passed by the respondent authorities without hearing the petitioners and only the hearing was given to one Anil Kumar Rathore, to whom the notices were served, therefore, in the interest of justice the respondent authorities may be directed to consider the case of the petitioners and pass order afresh after hearing the petitioners in accordance with law.
3. In the above referred batch of writ petitions, the co-ordinate Bench on the submission of the petitioners and on the statement of one Ashok Kumar Chandrakar, Joint Director, Urban Administrative Department, Regional Office, Raipur, who was present in the Court that proper opportunity of hearing would be provided to the petitioners before passing order and order would be passed afresh in accordance with law, disposed of the said writ petitions. Since in the other batch of writ petitions, the similar orders have been passed and further giving opportunity of hearing will not prejudice the right of the either of the parties, the instant writ petitions are disposed of in terms of the earlier order

passed by the co-ordinate Bench of this Court on 23.01.2018 and it is observed that the instant writ petitions are disposed of with a direction to the respondent authorities to pass afresh order after hearing the petitioners in accordance with law by speaking and reasoned order expeditiously within a period of three months from the date of receipt of certified copy of this order.

4. Interim relief granted earlier by this Court in both the writ petitions shall remain in force for a period of three months.

Sd/-

Goutam Bhaduri
Judge

Ashu