

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 424 of 2019**

Krishna Dhruv S/o Bharat Dhruv Aged About 20 Years R/o Civil Lines,
Ward No. 15, Navagarh, District Bemetara, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Urban Administration And Development Department, Mahanadi Bhawan, Atal Nagar, Police Station Rakhi, District Raipur, Chhattisgarh.
2. Nagar Panchayat Navagarh, Through The CMO Block Navagarh, District Bemetara, Chhattisgarh.
3. Chief Municipality Officer Nagar Panchayat Navagarh, District Bemetara, Chhattisgarh.

---- Respondents

For Petitioner:-	Shri Ravindra Sharma, Advocate on behalf of Shri Prateek Sharma, Advocate.
For Respondent/State:-	Shri Rajesh Singh, Dy. G.A.

Order On Board**By****Prashant Kumar Mishra, J.****01/03/2019**

1. Nagar Panchayat, Navagarh has issued the impugned notice to the petitioner for removal of encroachment.
2. It is argued that the petitioner was allotted the land in question, therefore,

there is no encroachment by the petitioner.

3. Let the petitioner move a representation within a period of fortnight before the Nagar Panchayat, Navagarh bringing to its notice the fact of allotment of subject land to the petitioner. The petitioner may also raise grounds that there is no encroachment by him for any other reason .
4. The Nagar Panchayat shall, thereafter, decide the representation after carrying demarcation of the spot in the presence of the petitioner, within a period of three months. If the petitioner's representation is not acceptable to the Nagar Panchayat, before passing the final order, the Nagar Panchayat shall provide due opportunity of hearing to the petitioner.
5. Till the Nagar Panchayat decides the representation, the petitioner shall not be dispossessed nor the subject construction be demolished.
6. Accordingly, the writ petition stands disposed of in the above stated terms.

Sd/-
(Prashant Kumar Mishra)
Judge

Ayushi