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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 752 of 2019**

- J. P. Builders And Developers Through The Partner Sandeep Kedia S/o Shri Jagdish Prasad Kedia, Aged About 45 Years. R/o Near Bihari Talkies, Old High Court Road, Tahsil And District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Urban Administration And Development Department , Mahanadi Bhawan Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh
2. Director Town And Country Planning, Indrawati Bhawan Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. The Joint Director Nagar Tatha Gram Nivesh, New Composite Building Second Floor, Collector Parisar, Bilaspur, District Bilaspur, Chhattisgarh

---- Respondent

For Petitioner	Mr. Prateek Sharma, Advocate
For Respondent /State	Mr. Ashish Surana, Panel Lawyer

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****26/2/2019**

1. Heard.
2. Learned counsel for the petitioner would submit that when the housing project of the petitioner was approved /sanctioned in 2014 and 2015 vide Annexure P/3 and P/4, the land use of the subject plot was residential, which has now been changed to commercial in the new Notification despite objection by the

petitioner, which was considered and sustained by the Committee under the Chhattisgarh Nagar Tatha Gram Nivesh Adhiniyam, 1993.

3. Learned counsel for the State would submit that the Joint Director, Town and Country Planning, Regional Officer, Bilaspur has issued a communication -Annexure P/2 informing the petitioner that the said authority is not entitled to approve change in land use.
4. In view of the communication -Annexure P/2 and the previous communication dated 10.10.2018-Annexure P/7, it appears appropriate that the petitioner may move fresh representation before the Director, Town and Country Planning, Chhattisgarh.
5. Let fresh representation be moved by the petitioner before the Director, Town and Country Planning, Chhattisgarh within a period of one week from today and thereafter, the said authority shall decide the representation in accordance with law within a further period of 2 months.
6. The writ petition is disposed of.

Sd/-

(Prashant Kumar Mishra)

Judge

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