

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1353 of 2019**

- Durg Jila Grih Nirman Sahakari Samiti Maryadit Rajnandgaon Through Manager, Smt. Neeru Sendur W/o Arun Kumar Sendur, Aged About 62 Years, R/o Ward No. 14, Gauri Nagar, Rajnandgaon, Tahsil And District Rajnandgaon Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Revenue Department, Mahanandi Bhawan, Mantralaya, Atal Nagar, Naya Raipur District Raipur Chhattisgarh
2. Collector Nazul Branch Durg District Durg Chhattisgarh
3. Nazul Officer Collectorate, Durg District Durg Chhattisgarh

---- Respondents

For Petitioner : Shri Pankaj Agrawal, Advocate

For Respondents/State : Shri Sanjay Agrawal, GA

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22/04/2019**

1. Heard.
2. The present petition is against the letter dated 29.11.2014 wherein certain recovery has been sought for.
3. Learned counsel for the petitioner would submit that the petitioner co-operative society was allotted land for construction of house under the middle income group housing scheme by the Commissioner, Raipur Division, in the year 1961.

Subsequently, the lands have been allotted to the different members and the premium and the lease rent was also paid, however, subsequently without looking into the record the letter dated 29.11.2014 is issued.

4. Heard learned counsel for the parties and perused the record.
5. After issuance of the letter dated 29.11.2014 almost five years have already passed and it is submitted on behalf of the petitioner that the respondents may resort to coercive action pursuant to the letter dated 29.11.2014. Considering the time rolled by in between and no coercive action is taken, it is observed that before passing any order, the petitioner society shall be duly heard and if the documents are filed by the Society showing payments in past, it shall also be considered before any orders are passed.
6. With such observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu