

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1298 of 2019

1. Vikas Kumar Chandrakar S/o Shri Praveen Kumar Chandrakar Aged About 41 Years R/o Kurud, Tahsil Kurud, District- Dhamtari, Chhattisgarh.
2. Bharat Lal Chandrakar S/o Late M. L. Chandrakar Aged About 80 Years R/o Kurud, Tahsil Kurud, District- Dhamtari, Chhattisgarh. **---- Petitioners**

Versus

1. State Of Chhattisgarh Through The Secretary Revenue Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, District- Raipur, Chhattisgarh.
2. The Collector Dhamtari District Dhamtari, Chhattisgarh.
3. The Sub Divisional Officer (Revenue) Kurud, District- Dhamtari, Chhattisgarh.
4. The Tahsildar Kurud, District- Dhamtari, Chhattisgarh.
5. Nagar Panchayat Kurud Through Chief Municipal Officer, Nagar Panchayat Kurud, District- Dhamtari, Chhattisgarh.
6. Rajendra Chandrakar S/o M. L. Chandrakar R/o Kurud, District- Dhamtari, Chhattisgarh.
7. Makhan Lal Chandrakar S/o S/o Ramlal Chandrakar R/o Kurud, District- Dhamtari, Chhattisgarh. **---- Respondents**

For Petitioner	:	Shri Rajat Agrawal, Advocate with Shri Aayush Bhatia, Advocate
For Respondent/State	:	Shri Anmol Sharma, P. L.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/04/2019

Heard

1. The present petition is for the reason that a complaint was made by the petitioners that respondents No. 6 & 7 have encroached upon the public path way and have started illegal construction

for which different complaints were made to the Nagar Panchyat Kurud, District Dhamtari. It is stated that the Nagar Panchyat Kurud on application having been filed had initiated action under Sections 187, 188 and 223 of the Municipality Act 1961. It is stated that the notices though were issued but after issuance of notices no action is being taken therefore the Municipalities, Nagar Panchyat respondent No. 5 may be directed to decide the case which is pending in respect of the encroacher's for which the notices were issued within a specified period, which is pending since 2017 and nothing has been transpired.

2. Perusal of the document filed along with petition i.e. Annexure P-3 specially shows that on complaint the action has been taken against the respondent No. 6 & 7 and notices were issued. As such the issue is pending adjudication. Be that as it may, the proceeding commenced in the year 2017 therefore, without any observation on the merits, it is directed that the proceedings which has been started by respondent No. 5 against respondents No. 6 & 7 shall be completed within a reasonable period of four months from the date of receipt of copy of this order.
3. With such observation, the petition stands disposed of.

Jyoti

Sd/-
Goutam Bhaduri
Judge