

HIGH COURT OF CHHATTISGARH, BILASPURContempt Case (C) No.762 of 2018

Smt. Sunita Agrawal, W/o Shri Sanjay Agrawal, aged about 48 years, R/o Nehru Nagar, West Bhilai, District Durg (C.G.)

---- Petitioner

Versus

1. Kumar Lal Chouhan, aged about 50 years, Estate Officer, Municipal Corporation, Bhilai, District Durg (C.G.)
2. Tapan Agrawal, aged about 53 years, Building Construction Office, Municipal Corporation, Bhilai (C.G.)

(Contemnors)

---- Respondents

For Petitioner: Miss Swati Upadhyay, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

06/09/2019

1. Heard on the question of admission of the contempt case.
2. This contempt case has been filed by the petitioner for non-compliance of the order dated 10-5-2018 by which this Court directed the Commissioner, Raipur Division, Raipur to dispose of the appeal filed under Section 9(2) of the Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Act, 2002 and meanwhile, directed the parties to maintain status quo.
3. Learned counsel for the petitioner would submit that contempt has been committed, as the structure in question was demolished prior to the decision of appeal.
4. The appeal was heard by the Commissioner, Raipur Division, Raipur and was decided on 10-8-2018 and the order dated 26-9-

2017 was set aside and the matter was remanded. There is no allegation in the contempt case or in the additional affidavit filed that on or before 10-8-2018, any structure was demolished, as such, no case for issuance of notice is made out. Accordingly, the contempt case is closed.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma