

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2480 of 2019**

1. Sheikh Najeer, S/o. Sheikh Ismile, Aged About 51 Years, R/o. Kelabadi Durg, District- Durg, Chhattisgarh.
2. Dilip Bawankar, S/o. Wamanrao Bawankar, Aged About 64 Years, R/o. Ganjpara, Durg, District- Durg, Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through Secretary, Urban Administration & Development, Mahanadi Bhawan, Mantralay, Capital Complex, Atal Nagar, New Raipur, District- Raipur, Chhattisgarh.
2. Municipal Corporation Durg, Through Its Commissioner, Municipal Corporation, Durg, Behind New Bus Stand, Gaurav Path, Durg, District- Durg, Chhattisgarh.
3. Commissioner, Municipal Corporation, Durg, Behind New Bus Stand, Gaurav Path, Durg, District- Durg, Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Manoj Paranjpe, Advocate
For State/Respondent No.1	:	Mr. Sudeep Verma, Dy. G.A.
For Respondent No.2 & 3	:	Mr. Pankaj Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22.07.2019**

Heard

1. Learned counsel for the petitioners submits that pursuant to the order passed on 25.10.2017 in likewise petition wherein similar issue was involved in WPC No.6995 of 2007 certain construction was carried out according to the map submitted by the Municipal Corporation and the supervision charges have been paid. He submits that after construction has been made, the respondents have given a notice 29.06.2019 (Annex. P-1) whereby petitioners were directed to vacate the said shop which was constructed and they have carrying on their business. Learned counsel for the petitioners further submits that the petitioners were ready and willing to pay the premium apart from the supervision charges and have filed an

application by way of representation to accept the money by Annexure P-1 & P-13 and to execute sale deed on 01.07.2019.

2. Learned counsel for the respondents No.2 & 3 submits that within the stipulated period of time the amount were not deposited, therefore, the occasion arose as the entire deposit should have been made in the year 2018 itself.
3. Be that as it may, taking into the facts & background of this case and further taking into fact that the petitioners have stated that they want to deposit the premium in respect of the shop and therefore the representation have been filed, it appears that the issue can be amicably settled. Considering such facts, it is directed that the respondents shall decide the representation of the petitioners within a period of 45 days from the date of receipt of a copy of this order. In the meanwhile, the petitioners cannot be dispossessed from their subject shop in question.
4. With such observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge