

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 2531 of 2019

Smt. Meera Devi Sharma W/o Shri Sukhlal Sharma Aged About 56 Years R/o High School Para Village Gidam Thana - Gidam Tahsil District North Bastar Dantewada Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- **Petitioner**

Versus

1. State of Chhattisgarh Through Seceretary, Panchayat And Nagriya Administration Department Mantralaya Naya Raipur, District Raipur Chhattisgarh
2. Collector North Bastar Dantewada, District North Bastar Dantewada District : Dantewada, Chhattisgarh
3. Joint Director Nagriya Administration Department Jagdalpur District : Bastar(Jagdalpur), Chhattisgarh
4. Anuvibhagiy Officer Karyalaya Anuvibhagiy Revenue, Dantewada, North Bastar Distt. Dantewada , Chhattisgarh
5. Tahsildar Tahsildar Karyalay Dantewada District North Bastar Dantewada District : Dantewada, Chhattisgarh
6. Chief Nagarpalika Officer Nagar Panchayat, Gidam, District North Bastar Dantewada District : Dantewada, Chhattisgarh

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25.07.2019	Mr.Rajendra Kumar Patel, counsel for the petitioner. Mrs. Smita Ghai, Panel Lawyer, for the State. It is contended that the petitioner was holding shop at Bus- Stand Geedam which falls under the Nagar Panchayat at Dantewada. It is contended that in the year 2015, the shop was demolished without any notice and subsequently the shops have been constructed over such vacated area. The petitioner submits that since he was occupant of the area prior to construction of shops, she was also entitled to get a shop. However, when the request was made, the same was not adhered to. Hence, the petition. A perusal of the documents annexed to the petition do not show that the petitioner had any right to occupy the area which was said to have been demolished. Only it is the notice which is on	

R a o	record. Therefore, if the contention of the petitioner is accepted, it would be within the sole discretion of the respondents to grant the shop if the construction of new shops has already been completed. Therefore, the petitioner's application which has been preferred may be decided on its own merits within an outer limit of 4 months from the date of receipt of the order. It is made clear that this Court has not made any observation as to the entitlement of the shop of the petitioner on merits and the process relating to grant of shop may be governed by the rules and regulations which are at present prevailing. With the above observation, this writ petition stands disposed of. Sd/- (Goutam Bhaduri) Judge	
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