

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4083 of 2019

1. Aman Tiwari, S/o Shri Ramashankar Tiwari, Aged About 27 Years,
R/o Village And Post Raykera, Police Station And Tahsil Bagicha,
District:Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Urban Administration
And Development Department, Mahanadi Bhawan, New Raipur,
District : Raipur, Chhattisgarh
2. Director, Urban Administration And Development, Raipur, District -
Raipur, District : Raipur, Chhattisgarh
3. Chief Municipal Officer, Nagar Panchayat, Bagicha, District :
Jashpur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Ashok K. Shukla, Advocate
For State	:	Mr. Anshuman Shrivastava, P. Lawyer

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18.11.2019

1. Pursuant to the open auction of allotment of shops by Nagar
Panchayat, Bagicha, District, Jashpur (C.G), the petitioner offered
his bid for shop No. E-14 & E-15 at Block No.5, which was
considered and the petitioner was allotted the said shops. The same
was allowed for the reason that the petitioner was the highest
bidder at Rs.1,75,000/- and Rs. 1,85,000/- for the two shops. The
petitioner was thus allotted Shop No. E-14 & E-15 on the terms and
conditions including the terms of payment of installments. The

petitioner deposited Rs.3,60,000/- as premium money in addition to the security amount of Rs.30,000/-. On petitioner's failure to deposit the balance amount, the allotment has been cancelled.

2. In this petition, the initial prayer was for a direction to allot the shops after accepting the balance amount from the petitioner but by making amendment, the petitioner has deleted the said relief and is now interested in seeking refund of the premium amount of Rs.3,60,000/- in respect of the two shops.
3. Considering the fact that the petitioner is not challenging forfeiture of the security amount of Rs.30,000/-, but is only interested in seeking refund of the amount of Rs.3,60,000/-, I deem it appropriate to dispose off the petition with direction that the on petitioner's making representation before the Nagar Panchayat, Bagicha for refund of the premium amount of Rs.3,60,000/- within a period of one month from today, the said Nagar Panchayat shall consider and decide the representation for refund of the amount expeditiously, preferably within a period of next 2 months.
4. In view of the above, the Writ Petition stands disposed-off.

Sd/-
(P. Sam Koshy)
Judge