

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 4035 OF 2019**

- Shankar Baghel S/o Shri J.L. Baghel, aged about 53 years, R/o MIG-I-498, Sector 1, Pt. Deendayal Upadhyay Nagar, Daganiya, Raipur, District Raipur (CG)

... Petitioner**versus**

1. Chhattisgarh Housing Board, through Commissioner, near Mantralaya, Chhattisgarh Housing Board, Pravas Bhawan, Atal Nagar, Naya Raipur, District Raipur (CG)
2. Estate Officer, Chhattisgarh Housing Board, Kabir Nagar, Raipur, District Raipur (CG)
3. Competent Authority, Chhattisgarh Housing Board, Sector 2, Shankar Nagar, Raipur, District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Vinod Kumar Sharma, Advocate.
For Respondents	:	Mr. Sanjay Patel, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/11/2019**

1. On the previous date of hearing, learned counsels appearing for the parties were asked as to whether the matter can be settled subject to the petitioner depositing the balance of principle amount along with interest agreed upon and the respondent-corporation waiving the penal interest part.
2. Today, when the matter is called out for hearing, learned counsel for the respondent-corporation submits that he has instructions that the corporation is ready to waive the penal interest part applied against the petitioner subject to his depositing the balance of principle amount with interest up till date.
3. This submission of the learned counsel for respondent-corporation is acceptable to the learned counsel for the petitioner who also has instructions from the petitioner.
4. Given the said facts and circumstances of the case, the present writ petition is disposed of directing the respondents to recalculate the amount due from the petitioner by calculating only the balance of principle amount with interest agreed upon till date without there being any sort of penal interest imposed. The said amount shall be paid by the petitioner to the corporation within a period of thirty days. For the said thirty days period, the respondents are restrained from taking any sort of coercive steps pursuant to the order dated 26.9.2019 (Annexure P-1).

5. It is further clarified that, in the event, if the petitioner deposits the balance of principle amount with interest up till date within the stipulated period of thirty days, the respondents are directed to drop all proceedings initiated against the petitioner.

6. Needless to mention that, in the event of failure on the part of the petitioner in fulfilling his part of commitment, the respondents would be at liberty to proceed further with the impugned order under challenge, in accordance with law.

7. With the aforesaid direction/observation, the writ petition stands disposed of.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE