

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 4267 OF 2019**

- Lokesh Garg, aged about 50 years, S/o Late Shri Madan Lal Garg, R/o Shyam Prasad Mukherjee, Ward No.63, near Government School, Bhathagaon, Tahsil and District Raipur (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Urban Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District - Raipur (CG)
2. Collector, Raipur, District Raipur (CG)
3. Commissioner, Municipal Corporation, Raipur, District Raipur (CG)
4. Zone Commissioner, Zone No.6, Municipal Corporation, Raipur, near Vegetable Market, Bhathagaon, Raipur, District - Raipur (CG)
5. Manorma Agrawal W/o Shri Vijay Agrawal, aged about 50 years, R/o C/o behind of Ex-Member of Councilor Bihari Sahu, Bhathagaon Chowk, Ring Road, Police Station - Takarapara, Raipur, Tahsil and District Raipur (CG)
6. Anurag Agrawal S/o Shri Vijay Agrawal, aged about 30 years R/o C/o behind of Ex-Member of Councilor Bihari Sahu, Bhathagaon Chowk, Ring Road, Police Station - Takarapara, Raipur, Tahsil and District Raipur (CG)

... Respondents

For Petitioner	:	Mr. Punit Ruparel, Advocate.
For Respondent-State:		Mr. Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****26/11/2019**

1. The present writ petition has been filed by the petitioner seeking for an appropriate direction to respondents no. 3 & 4 for taking action against respondents no. 5 & 6 who are making illegal constructions by encroaching upon the land of the petitioner which is exclusively owned by him.
2. Perusal of record would show that the petitioner has already approached the District Judge, Raipur under Section 307 of the Chhattisgarh Municipal Corporation Act, 1956 for removal and demolition of the said illegal construction. The said proceeding is pending consideration before the Court of District Judge, Raipur. The Municipal Corporation, Raipur has already entered appearance and submitted their reply also in the said case.
3. Given the fact that the matter is *sub judice* before the Court of District Judge, Raipur and the respondents having also filed their reply in the said case, this Court at this juncture would not like to entertain the present writ petition.

4. The writ petition accordingly stands disposed of, reserving the right of the petitioner to approach the concerned District Judge or approach the respondents no. 3 & 4 for taking appropriate remedial steps pending decision before the District Judge.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE