

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 4508 of 2019**

Suresh Kumar Jagatramka, Petitioner In Person, S/o Late Shri Banwarilal Jagatramka, Aged About 62 Years, M/s Prakash Steel (Correct Name Prakash Store), R/o Gandhi Chowk, Raigarh, District Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. Rent Controlling Authority/Sub Divisional Officer, District Raigarh, Chhattisgarh
2. Spectrum Infonet Private Limited Through Director Bharat Agrawal S/o Vijay Agrawal, R/o Chakradhar Nagar, Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Suresh Kumar Jagatramka, petitioner in person
For State	:	Ms. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****16.12.2019**

1. The petitioner has filed this petition questioning the authority of the Rent Controlling Authority, Raigarh in Case No. 6 A-90 (6) 2013-14.
2. According to the petitioner, the entire proceedings drawn by the Rent Controlling Authority is untenable for the reason that the proceedings of the Rent Controlling Authority would not be applicable for the reason that the petitioner does not enjoy tenant - landlord relationship with respondent no.2. According to the petitioner, he is in fact the title holder of the property in the light of the judgment passed by the Supreme Court on 01.11.1988 in Special Leave to Appeal No.

7518/1988 arising out of Second Appeal No. 434/1987 decided by the Madhya Pradesh High Court on 21.04.1988. In addition, according to the petitioner, there are also various orders passed by this High Court in different proceedings of different nature dealing with the same disputed property between the same parties.

3. Considering the entire facts and circumstances of the case, particularly taking note of the fact that the matter is still subjudice before the Rent Controlling Authority, Raigarh i.e. Respondent no.1, it would not be proper for this Court to invoke its writ jurisdiction half way the proceeding before the respondent no.1.
4. The writ petition at this juncture is disposed of granting liberty to the petitioner to apprise the respondent no.1 in respect of all the developments and orders passed by this Court in various proceedings and also the order passed by the Supreme Court and the respondent no.1 in turn is directed to consider the said contentions and objections of the petitioner in respect of the maintainability of the proceedings before the respondent no.1 as also the applicability of the Rent Control Act upon the present petitioner on its own merits and decide the same as expeditiously as possible.
5. It is expected that the respondent no.1 shall pass a speaking and reasoned order taking into consideration all the submissions and contentions that the petitioner raises.
6. With the aforesaid direction the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge