

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 19 of 2019**

- Digambar Prasad Gupta S/o Late Madho Sao Aged About 53 Years R/o Rani Road, Bagicha, Tahsil - Bagicha, District Jashpur Chhattisgarh

---- Petitioner**Versus**

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

---- Respondent

For Petitioner	Mr. JK Saxena, Advocate
For Respondent /State	Mr. Rahul Jha, Government Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumarm Mishra****1/3/2019**

1. Heard.
2. IA No.1, an application for amendment in the writ petition, is allowed.
3. Let necessary amendment be incorporated during the course of the day.
4. Pursuant to the open auction of allotment of shops by Nagar Panchayat, Bagicha, District, Jashpur (CG), the petitioner offered his bid for shop No. D-14, which was considered and the

petitioner was allotted the said shop. The same was allowed for the reason that the petitioner was the highest bidder at Rs.11,05,000/-. The petitioner was thus allotted Shop No. D-14 on the terms and conditions including the terms of payment of installments. The petitioner deposited Rs.4,65,000/- in addition to the security amount of Rs.30,000/-. On petitioner's failure to deposit the balance amount, the allotment has been cancelled.

5. In this petition, the initial prayer was for a direction to allot the shop 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 amount of Rs.4,65,000/-.
6. 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.4,65,000/-, I deem it appropriate to dispose of the petition with direction that the on petitioner's making representation before the Nagar Panchayat, Bagicha for refund of the amount of Rs.4,65,000/- 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.

7. The writ petition stands disposed of. Sd/-

(Prashant Kumar Mishra)

Judge

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