

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4582 of 2019**

Anil Kumar Ramteke S/o Sunder Lal Ramteke Aged About 45 Years R/o.
House No. 36, Ward No. 4, Near Rang Manch, Dallirajhara, District
Balod, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through- The Secretary, Urban Administration Department, Mantralaya, Mahanadi Bhawan, Atal Nagar Nawa Raipur, District Raipur, Chhattisgarh
2. Chief Municipal Officer Municipal Council Dallirajhara, District Balod, Chhattisgarh
3. Sub Divisional Officer Doundiloahra, District Balod, Chhattisgarh
4. Tahsildar Dallirajhara, District Balod, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pramod Ramteke, Advocate
For State	:	Ms. Abhyunnati Singh, PL

Hon'ble Shri Justice P. Sam Koshy**Order on Board****13/12/2019**

1. The challenge in the present writ petition is to the order Annexure P-1 dated 08.08.2019 passed by the respondent No.2.
2. The impugned notice is the notice directing the petitioner to stop further construction being carried out by the petitioner without any proper sanction and approval from the authorities and treating the construction to be illegal construction.
3. Counsel for the petitioner submits that the land has been given on lease to the petitioner for a period of 30 years from the year 2003 and petitioner has also paid all the requisite tax uptill 2018. Counsel for the petitioner further submits that meanwhile the petitioner had moved an application for permission before the respondent on 06.08.2019. However, without

waiting for approval or sanction on the same, the petitioner had started certain constructions anticipating the approval, sanction obtained in due course. Meanwhile, impugned notice has been issued.

4. Given the aforesaid facts which appears to be undisputed, this Court is of the opinion, let petitioner approach respondent No.2 with an proper application seeking for permission, approval and sanction for the necessary construction that he plans to undertake in the property which has been leased to him and respondent No.2 in turn shall take appropriate steps in accordance with law by deciding his application.
5. Let decision be taken by the respondent No.2 within a period of two months from the date of receipt of copy of this order.
6. With the aforesaid observations, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit