

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 125 of 2020**

Gopi Krishna Lahoriya S/o Ajab Singh Lahoriya Aged About 50 Years
Caste - Nayak, Ward No - 9, Nagri, Sopera Road, Dhamtari, District -
Dhamtari Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Urban Administration
Department Raipur, District - Raipur Chhattisgarh
2. Chief Municipal Official Nagri, Tahsil - Nagri, District - Dhamtari,
Chhattisgarh
3. Sub Divisional Officer Nagri, District- Dhamtari, Chhattisgarh
4. Tahsildar Nagri, District - Dhamtari, Chhattisgarh
5. Smt. Roshini Sahu Counsellor Ward No. 8, Municipal Office Nagri,
District - Dhamtari Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Soumitra Kesharwani, Advocate
For State	:	Ms. Sunita Jain, G.A. Mr. Ishan Verma, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21/01/2020**

1. The challenge in the present writ petition is to the order/notice
Annexure P/1 dated 18.03.2019, passed by the respondent No.2.
Vide the said notice, the petitioner has been asked to remove the
building construction materials dumped by the petitioner over the
said piece of land as they intend to build a Waiting Shed at the said
place.
2. The counsel for the petitioner fairly submits that the said piece of
land is an Abadi Land, but he has been occupying the said portion of
land for more than couple of decades now and therefore the

respondents should not be permitted to construct a Waiting Shed in the said property.

3. Perusal of the record would show that the petitioner as such does not have any right over the said property, where the respondent No.2 intends to construct a Waiting Shed. Waiting Sheds are always one, which are constructed for the benefit of the general public at large, whereas it is the petitioner's private interest which is coming in the way and whereby the petitioner for his private interest has encroached upon the said piece of land, which otherwise is not permissible under law.
4. Another reason for this Court not to interfere with the said notice is the delay in approaching this Court. The notice issued was as early as on 18.03.2019 and the present writ petition has been filed after about 9 months time.
5. For the aforesaid reasons, this Court is not inclined to entertain the writ petition at this juncture. The writ petition accordingly stands rejected. The rejection of the writ petition would not preclude the petitioner from approaching the local authorities for ventilating his grievance, if any, in accordance with law.

Sd/-
(P. Sam Koshy)
Judge

Ved