

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1551 of 2020**

Sujla Payasi W/o Shri P.K. Tiwari Aged About 50 Years R/o 2nd Floor, Block No. Lig, B 72/ 862, Deen Dayal Awas Bhawan, Kabir Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

1. The Commissioner Municipal Corporation, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Chhattisgarh Housing Board Through Its Chairman, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Executive Engineer Chhattisgarh Housing Board, Division 1, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
4. Zone Commissioner Municipal Corporation, Zone No. 8, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
5. Vipin Sharma Aged About 40 Years R/o Block No. Lig B 72/ 853, Deen Dayal Awas Bhawan, Kabir Nagar, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sharad Mishra, Advocate
For Res.-Housing Board	:	Mr. Sanjay Patel, Advocate
For State	:	Mr. Sudeep Verma, Dy. GA

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/08/2020**

1. The present writ petition has been filed being aggrieved of the action on the part of the respondent No.5 who is said to have encroached upon the common area in front of Block No. 72/853 in the Housing Board Colony situated at Kabir Nagar, Raipur.
2. Counsel who normally appears for the Chhattisgarh Housing Board present during the course of the proceedings is directed to seek

instructions and on instruction Learned counsel for the Chhattisgarh Housing Board submits that Housing Board has already issued a notice on 09.06.2020 to the respondent No.5 for removing the illegal construction so as to clear the common area over which all the residence of that colony are entitled to have access.

3. Given the fact that respondent Housing Board has already issued a notice dated 09.06.2020, it would not be proper at this juncture for the High Court to pass any order except for the disposing of the writ petition with direction to the Housing Board to ensure that the notice dated 09.06.2020 is acted upon in its letter and spirit at the earliest in accordance with law. In the event, if Housing Board authorities approach State Police force for assistance for maintaining the law and order situation, it is expected that State Authorities shall provide necessary assistance for the same to the Housing Board.
4. Let a copy of this order be also sent to the Senior Superintendent of Police, District Raipur for necessary instructions and compliance on his end. State counsel is also directed to convey the order passed by this Court to the Senior Superintendent of Police, District Raipur.
5. With the aforesaid directions, the writ petition stands accordingly disposed of.

Sd/-
(P. Sam Koshy)
Judge