

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No.1589 of 2020

Ramnivas Agrawal Vs. State of Chhattisgarh & Ors.

06.08.2020	Shri Yogesh Pandey, Advocate for the petitioner. Ms. Sunita Jain, Govt. Advocate for the State. Shri Priyank Rathi, Advocate for respondent No.5. The counsel for the petitioner drew the attention of the manner in which the proceeding is drawn by the Respondent No.3 under the Chhattisgarh Rent Control Act. The petitioner drew the attention of the order of the Rent Controlling Tribunal dated 01.07.2020 whereby the Chhattisgarh Rent Control Tribunal had in a Misc. Appeal stayed the proceedings before the Rent Controlling Authority and had fixed the matter for 22.07.2020. However, in Raipur District the lock down was imposed from 22.07.2020 till 28.07.2020 and which has further been extended up till 06.08.2020, therefore, the proceedings before the the Tribunal could not further proceed and there was no continuation of the interim relief and taking advantage of the said lock down situation the respondent No.3 has proceeded further with the matter and has fixed the case for final orders on the 07.08.2020. Considering the entire factual matrix of the case particularly taking note of the order dated 01.07.2020 passed by the Chhattisgarh Rent Control Tribunal, Raipur, in Misc. Appeal No.28 of 2020, this court, prima

facie is of the opinion that the respondent No.3 seems to have proceeded in a bit hasty manner.

Let the records of the Rent Controlling Authority be immediately produced before the Chhattisgarh Rent Control Tribunal, Raipur, enabling the Tribunal to take a decision on the merits in the Misc. Appeal at the earliest within a period of 30 days from the date it becomes functional.

Till a decision is taken by the Rent Controlling Tribunal at Raipur, the respondent No.3 is restrained from passing any final orders.

With the aforesaid observations, the writ petition stands disposed of.

Certified copy today.

Sd/-
(P. Sam Koshy)
Judge