

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1951 of 2020

Ravi Sarkar S/o Late Kalipad Sarkar Aged About 39 Years R/o Ward No. 4, H.No. 40, Bengali Camp, Kirandul, P.S. Kirandul, District South Bastar - Dantewada Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Urban Administration and Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh.
2. Collector Dantewada, District South Bastar- Dantewada Chhattisgarh.
3. N.M.D.C. Ltd. Through General Manager, B.I.O.M. Kirandul Complex, Kirandul, District South-Bastar-Dantewada Chhattisgarh.
4. Chief Municipal Officer Municipal Council, Kirandul, District South-Bastar-Dantewada Chhattisgarh.

---Respondents

For Petitioner	:	Shri Shrawan Agrawal, Advocate.
For Respondent-State	:	Shri Raghvendra Verma, Govt. Advocate.
For Respondent No.3	:	Shri Chandradeep Prasad on behalf of Shri Vaibhav Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.08.2020

1. The grievance of the petitioner seems to be the action initiated by the respondents for removing the shop which is being operated by the petitioner at Kirandul, District Dantewada.
2. The counsel for the petitioner submits that the petitioner has already approached the State authorities as also the other respondents for allotment of suitable land under Balmiki Ambedkar Awas Yojna, Atal Awas Yojna, Mukhyamantri Swavlamban Yojna and Deendayal Upadhyay Swavlamban Yojna and his application for the same is pending consideration. However, the respondent authorities meanwhile are forcing the petitioner to remove the shop that he is operating alleging the same to be an illegal construction and without any approval, sanction, or permission from any of the respondents.

3. Considering the fact that it is a peak monsoon season and also considering the effect of Covid-19 Pandemic, it is expected that the respondent authorities shall consider the application that the petitioner has made before each of them sympathetically. The counsel for the petitioner today submits that he is ready to shift his shop but some reasonable time be granted to him taking into consideration the monsoon season and also the effect of Covid-19 Pandemic.
4. Considering the submissions that the petitioner has made, this court is of the opinion that since the petitioner has already approached the authorities by moving separate application to each of them, the writ petition at this juncture stands disposed of directing the respondent authorities to take into consideration his prayer for grant of reasonable time within which he will be able to shift to the new place. Meanwhile, the Collector, District Dantewada may also consider if the petitioner can be granted some suitable alternative land under any of the schemes which the petitioner has applied for.
5. With the aforesaid directions, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge