

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2041 of 2020**

1. Prosenjit Mitra S/o Purna Chandra Mitra, Aged About 48 Years
Permanent Address, B-20, Link Road, Ashish Nagar (West), Risali,
Bhilai, District Durg Chhattisgarh,
2. Swagata Ghosh (Mitra), D/o Purna Chandra Mitra, Aged About 36 Years
Permanent Address, B-20, Link Road, Ashish Nagar (West), Risali,
Bhilai, District Durg Chhattisgarh,
3. Purna Chandra Mitra, S/o Late Shri B C Mitra, Aged About 80 Years
Permanent Address, B-20, Link Road, Ashish Nagar (West), Risali,
Bhilai, District Durg Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue And Disaster
Management Department), Mahanadi Bhawan, Atal Nagar, Raipur,
District Raipur Chhattisgarh,
2. Competent Authority (Constituted Under The Provisions Of Urban Land
(Ceiling And Regualtion) Act, 1976), Raipur, District Raipur
Chhattisgarh,
3. Collector, Raipur, District Raipur Chhattisgarh
4. Tahsildar, Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pankaj Singh, Adv.
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****23/09/2020**

1. The limited relief that the petitioners have sought for in the present writ
petition is for an appropriate direction to the respondent No. 2- the
Competent Authority to adjudicate upon the application under Section
3(2) of Urban Land (Ceiling & Regulation) Act, 1999 preferred by the

mother of the petitioners No. 1 & 2 and wife of the petitioner No. 3 namely Late Smt. Uma Mitra in the year 2012.

2. According to the petitioners, the said application is pending consideration before the respondent No. 2 since June 2012 onwards. It is further revealed from the pleadings that earlier also a writ petition was filed by Late Smt. Uma Mitra i.e. WP(C) No. 1090/2015 which got disposed of on 05.07.2017, on which date four months time was granted to the respondent No. 2 to take an early decision. However, though more than three years have passed since then also no decision has been taken by the respondent No. 2 which led to filing of the present writ petition again.
3. According to the petitioner, subsequent to the disposal of the writ petition, the respondent No. 1 in-fact had made a correspondence to the respondent No. 2 intimating him about the order passed by the High Court and with a further direction to promptly take necessary steps for compliance of the said order. Thereafter, the Collector again is said to have vide Annexure P/10 dated 08.05.2019 instructed the Tahsildar to submit a status report in respect of the said property. Even then, thereafter no decision has yet been taken by the respondent No. 2.
4. The limited prayer that the petitioner makes is that the respondent No. 2 may be directed to decide the application at the earliest.
5. The limited relief sought for by the petitioner is not opposed by the State Counsel.
6. Accordingly, the present writ petition is disposed of directing the respondent No. 2-the Competent Authority to take an appropriate decision on the application which the mother of the petitioners No. 1 & 2 and wife of the petitioner No. 3 namely Late Smt. Uma Mitra had filed

under Section 3(2) of Urban Land (Ceiling & Regulation) Repeal Act, 1999 at the earliest preferably within a period of 120 days from the date of receipt of copy of this order.

7. With the aforesaid observation/direction, the present writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha