

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2526 of 2020**

Shukla Daily Needs Through Its Owner Indrabhushan Shukla S/o Shri Taradin Shukla Aged About 58 Years R/o Power House Road, District - Korba Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Revenue Department, Mahanadi Bhawan, Naya Raipur, Tehsil And District - Raipur Chhattisgarh.
2. Competent Authority/Sub - Divisional Officer (Revenue), District - Korba Chhattisgarh.
3. Estate Officer, Chhattisgarh State Power Generation Company Limited, Korba (East), District - Korba Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Anand Shukla, Advocate
For State	:	Mr. Sudeep Verma, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/10/2020**

1. The challenge in the present writ petition is to the notice dated 07.10.2020, issued by the Sub-Divisional Officer (Revenue), Korba under the provisions of Chhattisgarh Lok Parishar (Bedakhli) Adhiniyam, 1974. The said notice is a show cause notice issued to the petitioner.
2. It is pertinent to mention that the present is a second round of litigation, the petitioner earlier had filed a writ petition i.e. WPC No. 2099/2020, which was disposed of on 23.09.2020, whereby the respondents authorities were directed to decide the preliminary objection raised by the petitioner and then to take appropriate steps. The present show cause notice seems to be an outcome of the said writ petition, as one of the objection raised therein was also in respect to the competence

of the authorities in the issuance of the notice under the provisions of Section 248 of the Chhattisgarh Land Revenue Code.

3. This Court considering the fact that the challenge leading to a show cause notice does not intend to entertain the writ petition at this juncture as it is by now well settled that the scope of judicial review in a show cause notice proceedings is too minimal. The only strong ground which the petitioner was harping upon was that he was not granted a reasonable time to give a reply to the show cause notice, whereas under the Act of 1974 minimum 10 days time should had been granted to the petitioner. This Court is of the opinion that this again is a ground which the petitioner can raise before the authorities concerned by moving an appropriate application for grant of a reasonable time. Only on this ground alone the writ petition should not be kept pending. The writ petition accordingly stands disposed of directing the petitioner to approach before the Sub-Divisional Officer and to submit his reply immediately and the respondents authorities are expected to take a decision in accordance with law on the said reply that the petitioner shall supply and shall proceed in accordance with law while taking an appropriate decision.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved