

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2909 of 2020**

- Smt. Sangeeta Soni W/o Shri Sarjan Soni Aged About 40 Years Resident Of Aminpara, Raipur , Tahsil And District Raipur Present Address Anandam Welnes, Purani Basti Infront Of Mahamaya Mandir , Raipur Tahsil And District Raipur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Collector Raipur , District Raipur Chhattisgarh
2. Sub Divisional Officer (Revenue) Raipur District Raipur Chhattisgarh
3. Mangal Prasad Soni S/o Late Shriram Prasad Resident Of Aminpara , Raipur , Tahsil And District Raipur Chhattisgarh
4. Sarjan Soni S/o Mangal Prasad Soni Resident Of Aminpara, Raipur , Tahsil And District Raipur Chhattisgarh

---- Respondents

For Petitioner : Shri S.P. Sahu, Advocate

For Respondents/State : Shri Gagan Tiwari, GA

Hon'ble Shri Justice Goutam Bhaduri**Order****02/12/2020**

1. Heard.
2. The present petition has been filed for the following reliefs:-

“10.1 That, the Hon'ble court may kindly be pleased to issue the writ order or direction to the respondent Collector Raipur to decide the appeal of the petitioner within stipulated period as may be given by this Hon'ble Court, in the interest of justice.

10.2 That, the Hon'ble Court may kindly be pleased to issue any other writ or writs/order or orders/ direction or directions which the Hon'ble Court deemed fit and proper in the interest of

justice.”

3. Learned counsel for the petitioner would submit that at the instance of respondent No.3 an ejectment order was passed on 01.06.2020 by the Court of SDO under the Maintenance and Welfare of the Parents and Senior Citizens Act, 2007 (for short 'the Act, 2007'). Against such order the petitioner has preferred an appeal before the Collector under Section 16 (1) of the Act, 2007, which is an appellate tribunal. He would further submit that at this stage, the petitioner may be allowed to stay in the premises from which she has been ordered to be evicted.
4. Since the appeal has already been preferred by the petitioner against the order of the SDO dated 01.06.2020, therefore, it is for the appellate tribunal to decide the same as expeditiously as possible. Prayer as has been made before this Court that the petitioner may be allowed to stay in the premises from which she has been ordered to be evicted, cannot be allowed in view of the fact that the appeal is already pending and the Collector may decide the appeal as expeditiously as possible in accordance with law.
5. Accordingly, the writ petition is dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu