

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 28 of 2021

Anil Gidwani, S/o Chetan Das Gidwani, Aged About 36 Years, R/o Shobhana Thread and Saving Machine, Gudaku Line, Rajnandgaon, Tahsil & District- Rajnandgaon (C.G.)

--- Petitioner

Versus

1. Kishore Vishwakarma, S/o Late Nathulal Vishwakarma.
2. Sanat Kumar Vishwakarma, S/o Late Nathulal Vishwakarma.

Both R/o Ward No. 25, Rani Suryamukhi Ward, Gudaku Line, Rajnandgaon Tahsil & District- Rajnandgaon (C.G.)

--- Respondents

For Petitioner : Mr. Parag Kotecha, Advocate.

For Respondents : Mr. Priyank Rathi, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05/03/2021

Heard.

1. Learned counsel for the petitioner submits that subsequent to filing of this writ petition, the Chairman in the Chhattisgarh Rent Control Tribunal, has been appointed by the State Court vide order dated 09.02.2021. Since then, the Tribunal has started functioning, therefore, this writ petition may be disposed of along with the continuation of the interim order granted by this Court.
2. Learned counsel for the respondents submits that an appeal has been separately filed by the petitioner, but the same has been

filed with delay, regarding which, an application for condonation of delay in filing the appeal filed, which is pending, therefore, the matter may be disposed of with a direction to the learned Tribunal to consider on the appeal and the application pending, without being prejudiced to the order passed by this Court.

3. Considered on the submissions. The Chhattisgarh Rent Control Tribunal has started functioning after appointment of the Chairman from 09.02.2021 and the petitioner has statutory remedy available under Section 13 of the Chhattisgarh Rent Control Act, 2011, regarding which, he has already filed an appeal before the Tribunal and the same was lying vacant and that appeal is pending for disposal. Hence, for these reasons, this writ petition is disposed of at motion stage.
4. The petitioner is granted liberty to pursue the appeal filed by him before the Chhattisgarh Rent Control Tribunal. The interim relief granted by this Court vide order dated 01.02.2021 shall remain effective for further 21 days during which, the petitioner may approach the learned Tribunal and seek remedy according to the law.
5. In view of the above, the instant writ petition stands disposed of at motion stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge