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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 41 of 2021

Ajay Sen, S/o. Late Aganu Ram Sen, aged about 55 years, R/o.- Infront of Rajasthan Dharamshala, Raina Market, Manendragarh, Distt.- Koriya, Chhattisgarh.

---- Petitioner

Versus

1. Rent Control Officer, Manendragarh, Distt.- Koriya, Chhattisgarh
2. Jaswant Kaur, W/o. Late Ranjeet Singh, aged about 68 years, R/o.- Ward No. 16, Manendragarh, Distt. Koriya, Chhattisgarh.

-----Respondents

For Petitioner	: Mr. Ram Sajiwan Dewangan, Advocate
For Respondent No.2.	: Mr. Vivek Bhakta, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/04/2021

1. It is the submission of the counsel for both the parties that now the Chairman has been appointed for the C.G. Rent Control Tribunal and it has started functioning.
2. This petition was filed by the petitioner and entertained by this Court at the stage, when the tribunal was not functioning because of the vacancy in the seats of Chairman and members. At present, the circumstances have changed and C.G. State Rent Control Tribunal has become functional.

3. Challenge in this petition is given to the order of the Rent Control Authority, Manedragarh, District Korla, which is appealable order and the appeal has to be entertained by the tribunal under Section 13 of the Rent Control Act, 2011. Hence for the reason that there is statutory remedy present against the impugned order and this petition was entertained only for the reason of the circumstances, when the petitioner was in need of relief. Hence, this petition is disposed off.
4. The petitioner has already filed an appeal before the tribunal, which is pending.
5. It is ordered that the interim order dated 28.01.2021 passed by this Court shall remain operative for further 21 days. In the meanwhile, the petitioner shall have liberty to approach the tribunal and seek remedy interim or final as may be felt necessary.
6. Accordingly, this petition is disposed off with aforesaid observations.

Sd/-
(Rajendra Chandra Singh Samant)
Judge