

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 42 of 2021

- Naresh Tuli, S/o Late Ranjit Rai Tuli, Aged About 44 Years, R/o Durpa Road, Korba, Director Jeet Cycle Stores, Gandhi Chowk, Korba Post, Tahsil and District-Korba, Chhattisgarh.

---- Petitioner

Versus

- Keshar Singh Rajput, aged about 44 years, S/o Late Narhar Singh Rajput, R/o Gandhi Chowk, Korba Post, Tahsil and District Korba, Chhattisgarh

---- Respondent

For petitioner : Mr. Parag Kotecha, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

03/03/2021

1. This petition under Article 227 of the Constitution of India has been brought challenging the order of Rent Control Authority, Korba dated 18.11.2020 by which the application filed under Order 7 Rule 11 was rejected by the Rent Control Authority, Korba.
2. It is submitted by the learned counsel for the petitioner, that on the date of this petition was filed the C.G. Rent Control Tribunal at Korba was not functioning because of the vacancy in the seats of Chairman and the members of the said tribunal. It is a subsequent development, that the State Government has appointed Chairman for the said Tribunal vide order dated 09.02.2021 and also there is report that the Tribunal has started functioning.
3. The petitioner herein has also preferred an appeal against the impugned order, which is pending before the Tribunal. After the starting of functioning of the learned Tribunal, there is no purpose for continuing to entertain this writ petition for the reason, that the applicant has statutory remedy available under the provision of Rent Control Act, 2011.

4. After considering all the submissions, the present petition is disposed off. It is ordered, that the proceeding pending between the parties before the Rent Control Authority, Korba shall remain stayed for a period of 21 days from today. In the meanwhile, the petitioner is at liberty to approach the Rent Control Tribunal and prefer appeal as per the provisions under Rent Control Act, 2011 and seek relief accordingly.
5. Accordingly, the petition stands disposed off.

Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha