

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 120 of 2021

Amolak Singh Gandhi, S/o Jawand Singh Gandhi, Aged About 60 Years, Caste Punjabi, R/o Punjabi Colony, Dayalband, Near Gurudwara, Bilaspur, Tahsil & District- Bilaspur (C.G.)

--- Petitioner

Versus

Krishna Kumar Dua, S/o Late Kashiram Dua, Aged About 75 Years, Caste Punjabi, R/o Mungeli Naka, Bilaspur, Tahsil & District- Bilaspur (C.G.)

--- Respondent

For Petitioner : Mr. Dharmesh Baghel, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25/02/2021

1. This writ petition has been brought under Article 227 of the Constitution of India, against the order dated 20.10.2020 passed by the Rent Controlling Authority, Bilaspur (C.G.), by which the petitioner has been ordered to be evicted from the tenanted premises and he has also been directed to make payment of arrears of rent.
2. The Chhattisgarh Rent Control Tribunal has started functioning after appointment of Chairman from 15.02.2021. Under Section 13 of the Rent Control Act, 2011, the order of the Rent Controlling Authority is appealable before the Tribunal. For the reason, that there is statutory remedy available to the petitioner, hence, the supervisory jurisdiction under Article 227 of the Constitution of India, cannot be invoked. Hence, for this reason,

this writ petition is disposed of at motion stage. It is directed that the impugned order so far it relates to the eviction of the petitioner from the tenanted premises, shall not be given effect to for a further period of 15 days from today and in the meanwhile, the petitioner shall be at liberty to file appeal before the Rent Control Tribunal, praying for relief as per the provisions under the Rent Control Act, 2011.

3. In view of the above, the instant writ petition stands disposed of at motions stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge