

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(C) No. 1279 of 2021

1. Madan Singh, S/o. Late Faudar Singh, Aged About 81 Years.

2. Sushila Singh, W/o. Madan Singh, Aged About 74 Years.

Both R/o. Karimpara, Ward No. 44, Torwa, District Bilaspur (Chhattisgarh)

--- Petitioners

Versus

1. State Of Chhattisgarh, Through The Secretary, Urban Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur (Chhattisgarh)

2. Collector, Bilaspur, District Bilaspur (Chhattisgarh)

3. Commissioner, Municipal Corporation Bilaspur, District Bilaspur Chhattisgarh

4. Tahsildar, Bilaspur, District Bilaspur (Chhattisgarh)

5. Sayyed Nihal, R/o. Karimpara, Ward No. 44, Torwa, District Bilaspur (Chhattisgarh)

6. Sayyed Bahal, R/o. Karimpara, Ward No. 44, Torwa, District Bilaspur (Chhattisgarh)

---- Respondents

23.09.2021	Mr. Rahul Agrawal, Advocate for the Petitioner. Mr. Rahul Jha, Govt. Advocate for the State/Respondent No.1,2 & 4. Mr. Harsh Wardhan, Advocate for the Respondent No.3. Mr. Kunal Sharma, Advocate for the Respondent No.5 & 6. Heard As per the reply of the Municipal Corporation Bilaspur, it has been stated that the demolition has not been carried out by the Municipal Corporation and it is contended that it is a private lis between the petitioner and respondent No.5 & 6. There is no document placed on record to appreciate the fact that the demolition has been carried out at the behest of the Municipal Corporation.

In absence of any document, presumption cannot be drawn and if the respondent No.5 & 6 have disturbed the property of the petitioner then he has to seek a remedy available under the common law.

With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge