

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WA No. 309 of 2020**

1. Chhattisgarh Grih Nirman Mandal Through - Commissioner, Shankar Nagar, Raipur (Now At Paryavas Bhawan) Naya Raipur, Atal Nagar, District- Raipur Chhattisgarh
2. The Executive Engineer Chhattisgarh Grih Nirman Mandal, Division-1, Kabir Nagar, Raipur, District - Raipur Chhattisgarh.

---- Petitioner**Versus**

1. Usha Devi Agrawal W/o Late Shri Jagdhar Lal Agrawal Aged About 69 Years R/o 103, Mahamaya Apartment, Durga Chowk, Purani Basti, Raipur Tehsil And District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh (Petitioner)
2. State Of Chhattisgarh Through- Secretary, Accommodation And Environment Department, Mantralayal, Naya Raipur, District - Raipur Chhattisgarh

---- Respondent

For Appellant	Mr. Sanjay Patel, Advocate
For Respondent No.1	Mr. Ratnesh Kumar Agrawal, Advocate
For Respondent/State	Mr. Sudeep Agarwal, Dy. AG

DB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. C.J.**Hon'ble Mr. N.K. Chandravanshi, J.****Judgment On Board By Prashant Kumar Mishra, Ag. C.J.****3/8/2021**

1. Heard.
2. Pursuant to our order dated 26.7.2021, the Commissioner, Chhattisgarh Grih Nirman Mandal has filed an affidavit stating the following :

"1. That this Hon'ble Court on 22.7.2021 directed me to file an affidavit explaining as to why para 11 of the order dated 15.01.2020 passed in Writ Petition (C) no.2772/2010 was not complied with.

2. That it is my respectful submission that challenging the order dated 15.01.2020 passed in WPC no.2772/2010 the Chhattisgarh Housing Board has filed the instant appeal i.e. Writ Appeal no.309/2020 along with an application for interim relief and is having every hope to succeed in the instant appeal. With this bonafide hope and belief the Chhattisgarh Housing Board has not proceeded with acquisition proceeding under section 49 of the Chhattisgarh Grih Nirman Mandal Adhiniyam, 1972, however, tried to settle the dispute amicably with the petitioner but the petitioner is stubborn in not paying the development charge of the alternate land offered by the Housing Board. This is the bonafide mistake and for which I tender my unconditional apology.

3. That I assured this Hon'ble Court that within 6 months either acquisition proceeding will be concluded or amicable settlement be done with the petitioner.

4. That I am having very regard to the orders passed by the Hon'ble Courts and cannot dare to flout the orders even in dream. This is the bonafide mistake and for which I tender an unconditional apology."

3. In view of the above statement made in the affidavit filed by the Commissioner of appellant-Chhattisgarh Grih Nirman Mandal, nothing survives in this appeal for adjudication.

4. The appeal stands disposed of.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(N.K. Chandravanshi)
Judge

