

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 514 of 2020

Rammurti Agrawal, aged about 75 years S/o Late Shri Krishna Sundar Agrawal R/o Qtr. No. 61/420/1 Opposite Gopidas Temple, Beside Floor Mill, Baniyapara Mahand Narayan Ward No. 61, Raipur, Tahsil and District Raipur (C.G.).

---- Petitioner

Versus

- Santosh Agrawal, aged about 63 years S/o Late Shri Rasik Bihari Agrawal R/o Plot No. 102, Om Grih Nirmal Sahakari Samiti, Raipur, Tahsil and District Raipur (C.G.), at present R/o H. NO. 10, HIG Sector-1, D.D. Nagar, Raipur (C.G.)

---- Respondent

For Petitioner	:	Mr. Rajnish Singh Baghel, Advocate
For Respondent	:	Mr. Pranjal Agrawal, Advocate

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

09/06/2021

1. The matter is listed for removal of default.
2. Counsel for the respondent makes submission that this petition is not maintainable for the reasons that on the date when this petition was filed, learned Rent Control Tribunal was not functioning. Subsequently the Chairman of learned Rent Control Tribunal has been appointed and the said Tribunal is now functioning since March, 2021. As there is provision of appeal under Chhattisgarh Rent Control Act, 2011 and the petitioner has remedy available under the said Act before the Tribunal, therefore, this petition has become infructuous.
3. Learned counsel for the petitioner prays for extension of interim relief until the petitioner files an appeal before the Rent Control Tribunal.

4. Considering that the matter clearly pertains to dispute under the Chhattisgarh Rent Control Act 2011 and this petition was entertained and orders were passed only for the reasons that the Tribunal was not functioning, but it is very clear, that the Tribunal has now started functioning regularly at Raipur and there is remedy available to the petitioner before the said Tribunal, and thus there is no need to continue this petition.
5. Accordingly, this petition is disposed of. However, the interim relief granted vide order dated 17/12/2020 shall continue for a further period of six weeks. In the meantime, the petitioner shall have a liberty to file an appeal before the Tribunal seeking his relief under the Chhattisgarh Rent Control Act 2011

Sd/-
(Rajendra Chandra Singh Samant)
Judge