

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 53 of 2021**

- Dinesh Shadangi S/o Late Shri Banshidhar Shadangi Aged About 55 Years R/o Village Kohakonda Tahsil And Distt. Raigarh, Chhattisgarh. Presently R/o Naya Ganj Near Gouri Shankar Mandir Raigarh, Tahsil And Distt. Raigarh, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Urban Administration And Development, Mahanadi Bhavan, Mantralay Naya Raipur, District Raipur, Chhattisgarh
2. Collector Raigarh Distt. Raigarh, Chhattisgarh
3. The Municipal Corporation Through The Commissioner, Municipal Corporation, Raigarh, District Raigarh, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rajendra Tripathi, Advocate
For Respondents/State	:	Ms. Richa Shukla, Dy. GA
For Respondent No.3	:	Shri H.B. Agrawal, Sr. Adv. With Shri Pankaj Agrawal, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****14/01/2021**

1. Heard.
2. Learned counsel for the petitioner would submit that the petitioner was served with a notice dated 23.10.2020 on the ground that the petitioner has encroached upon the road and has raised the superstructure, therefore, the

superstructure may be removed. He would further submit that the petitioner has filed the reply to the aforesaid notice on 27.10.2020 vide Annexure P-6 and there is all apprehension that all of a sudden they may cause the demolition, therefore, the respondents may be directed not to demolish the superstructure.

3. Learned counsel for respondent No.3 would submit that the petitioner has rushed to the Court without awaiting the decision on the notice which was served upon him on 23.10.2020. He would further submit that since the petitioner has already replied to the notice, therefore, his case would be considered and thereafter suitable orders would be passed.
4. In view of the submission made by learned counsel for respondent No.3 that at present without hearing no demolition would be carried out, it is directed that the respondents may consider the reply filed by the petitioner and thereafter pass the suitable orders and without that in the intervening period, no demolition may be carried out.
5. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu