

(2018) 09 CHH CK 0386
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 281 Of 2012

Dr. Deepak Sharma

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 25-09-2018

Acts Referred:

Citation : (2018) 09 CHH CK 0386

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Harshal Chouhan, Rajendra Tripathi, Chakresh Tiwari, Abhishek Sinha, Pankaj Agrawal

Final Decision : Dismissed

Judgement

Prashant Kumar Mishra, J

1. Petitioner would assail the order passed by the Collector-cum-Registrar, Public Trust, Raipur, on 27-6-2005 allowing the application of Girdhar

Bhawan, Dharamshala Trust, Raipur, for execution of lease deed in favour of the respondents No.8 & 9 on condition that the lease deed shall be

registered, the construction shall be made on the trust property from the premium and yearly rent obtained from the lease deed; the accounts of the

premium/rent, etc. shall be audited by the registered Chartered Accountant with due information to the Registrar.

2. This writ petition has been filed in the month of February, 2012 by a person who is neither the trustee nor in any other manner concerned with the

affairs of the Trust albeit the petitioner is claiming himself to be the grandson of one of the previous trustee of the trust.

3. It is informed that the construction by way of renovation has already been

completed in the year 2010 and lessees are regularly paying the lease rent to the trust.

4. It appears, the writ petition suffers from delay and laches.

Petitioner should have approached the Court with promptitude within reasonable time before execution and registration of lease deed or at least before

construction by way of renovation of shops. No interference is permissible at this stage and that too at the behest of a person who is not concerned

with the affairs of the trust. It is also to be seen that the petitioner has not objected to the permission granted by the Collector even though

proclamation was issued inviting objections in the year 2004.

5. As a sequel, the writ petition is liable to be and is hereby dismissed. No order as to cost(s).