
(2018) 05 CHH CK 0222
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 1551 Of 2018

Sunil Baghel

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 30-05-2018

Acts Referred:

Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam, 2002 — Section 9

Citation : (2018) 05 CHH CK 0222

Hon'ble Judges : Manindra Mohan Shrivastava, J

Bench : Single Bench

Advocate : Raghvendra Pradhan, PK Bhaduri, Pankaj Agrawal

Final Decision : Disposed Of

Judgement

Manindra Mohan Shrivastava, J

1. Heard.
2. The petitioner's grievance is that without copy of the order rejecting application for regularization having been supplied to the petitioner, the corporation is proceeding to demolish the construction.
3. Learned counsel for the petitioner submits that under Section 9 of the Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran Adhiniyam, 2002, the petitioner has remedy of appeal.
4. Learned State counsel submits that if the petitioner approaches the concerned authority who passed the order, he will be supplied the copy of the order rejecting his application for regularization.
5. Considering the submission made, instead of keeping this matter pending, it will be proper to dispose of writ petition itself with a direction that if the petitioner approaches respondent No.4 within a period of 3 weeks, order rejecting petitioner's application for regularization of irregular construction shall be supplied to him and the petitioner would be at liberty to prefer the appeal

against the same and pray for stay. Respondent No.4 shall positively supply copy of the rejection order to the petitioner within a period of 10 days from the date of petitioner's appearance before him.

6. For a period of 45 days no demolition shall take place.