



IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISHGARH)

WRIT PETITION NO. 15 OF 2000

BETWEEN

Veerbhan Jindal Son of late Shri Mohan Chand Jindal,
aged about 50 years, resident of Plot No.12, Indra
Vyavsai(Commercial) And residential Centre ,Transport
Nagar Korba Chhattisgarh.

PETITIONER

A N D

1. The State of Chhattisgarh,
Through the Director,
Nagariya Prashasan and Vikas ,
RAIPUR (CHHATTISGARH)
2. The Commissioner,
Municipal Corporation ,Korba.
3. Satate Officer (Sampada Adhikari)
Nagar Palika Nigam, Korba . (SADA KORBA)
4. Chief Executive Officer,
Nagar Palika , Korba .

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION
OF INDIA

PR 19/2000
15/11/2000

W.P No. 25/2000

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><u>14/12/2000</u></p> <p>Shri A. Tripathi, learned counsel for petitioner.</p> <p>Shri Ranveer Singh, learned counsel for respondent no.1 on advance copy.</p> <p>Heard.</p> <p>The grievance of the petitioner appears to be that a plot of land which should have been allotted to him @Rs.50/- per square foot was offered to him at Rs.200/- per square foot and when the petitioner under the circumstances and conditions was ready and willing to purchase it, he was denied the allotment and without taking the petitioner's letter (Annexure-P/6) in its true spirit, the respondents nos. 2 to 4 have cancelled the allotment. According to the petitioner, he is entitled to the plot either at the original rate of Rs.50/- or in the alternative at Rs.100/- per square foot.</p> <p>Annexure-P/4 on which strong reliance has been placed by the petitioner relates to the allotment of the original plotted area. Under Annexure-A/5, an offer was made to the petitioner for certain additional land @ Rs.200/- per square foot. The petitioner</p>	

मामला क्रमांक सन् 200

आदेश पत्रक (पूर्वानुबन्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
rsnr	<p>.. 2 ..</p> <p>deposited a sum of Rs.50,000/-. However, he raised a plea that area proposed to him at Rs.200/- per square foot be now allotted at Rs.100/- per square foot or his money be refunded back to him. The respondents accepting the terms of the letter cancelled the allotment and refunded the money. By no stretch of imagination, it can be said that the respondents tried to oppress the petitioner or took undue advantage of the situation. When offer was made @ Rs.200/- per square foot and the petitioner was not agreeable to the same, no concluded contract ever came into existence. If in absence of a concluded contract even a decree for specific performance cannot be granted by a Civil Court, it would not be possible for the High Court to interfere under Article 226 of the Constitution of India.</p> <p>The petition is dismissed.</p>	<p>Sd/- R.S. Garg Judge</p>