

C.F. 200-21

(21)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. NO. 1259 OF 2001

IN THE MATTER OF:

PETITIONERS :

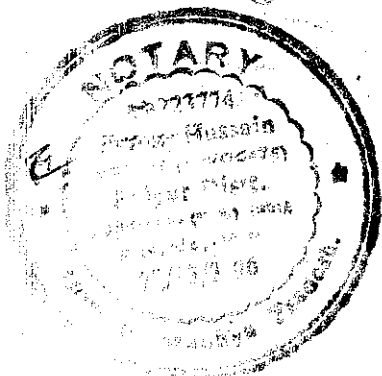
1. ✓ M/S VIMAL CONSTRUCTIONS, a partnership firm duly registered under the relevant provisions of the Partnership Act, 1932, and carrying on business of Engineers and Contractors at Ravi Bhavan, Jai Stambh, Raipur 492001
2. VIMAL CHAND JAIN son of Late Manikchand Jain, aged 47 years, Partner M/S Vimal Constructions, resident of 21, South Avenue, Choubey Colony, Raipur (C.G.)

P. R. No. 1290/01
Presented by Shri. Mehil Acharya
dated 23.7.2001

VERSUS

RESPONDENTS :

1. ✓ THE RAIPUR MUNICIPAL CORPORATION, a body corporate having common seal and perpetual succession having being constituted under s. 7 of the Municipal Corporation Act, 1956, having its principal office at Malviya Path, Raipur (C.G.) through the Commissioner, Raipur Municipal Corporation, Raipur (C.G.)
2. ✓ THE STATE OF CHHATTISGARH, Through the Principal Secretary to the Government of Chhattisgarh, Department of Public Works, Mantralaya (D.K. Bhavan), G.E. Road, Raipur (C.G.)
3. THE OFFICER IN CHARGE, RAJYA RAJDHANI PARIYOJNA, Office of the Raipur Development Authority, G.E. Road, Raipur (C.G.)
4. THE CHIEF EXECUTIVE OFFICER, Raipur Development Authority, G.E. road, Raipur (C.G.)
5. THE COLLECTOR, RAIPUR (C.G.)



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PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF
INDIA FOR THE ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS,
CERTIORARI ETC. AND/OR FOR ORDER(S) AND/OR DIRECTION (S)
IN THE NATURE OF WRITS.

TO

आदेश पत्रक

W.P.No. 1259/2001

मामला क्रमांक

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>31/7/2001</u></p> <p>Shri B.P. Sharma, learned counsel for the petitioner.</p> <p>Shri Manindra Shrivastava, learned counsel for respondent/Corporation.</p> <p>Heard.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>Shri Manindra Shrivastava, learned counsel appearing on behalf of Corporation submits that this petition is premature inasmuch as show cause notice issued to the writ petitioner to appear before the Commissioner on 31/7/2001 at 4.30 p.m. was received by the petitioner yesterday at 10.55. a.m. It is further submitted that the petitioner has been given an opportunity to show cause and to place his entire case before the Commissioner, who will thereafter pass the necessary orders on merits.</p> <p>Shri B.P. Sharma, learned counsel for the petitioner submits that the time to show cause is too limited. It appears that the Competent Authority, if approached, should grant sufficient time.</p> <p>Let the writ petitioner appear before the Commissioner by 4.00 p.m. on Friday. Upon such appearance by the petitioner the Commissioner shall decide the matter in accordance with the provisions laid down in this behalf</p>	

[सिग्नेचर]

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p style="text-align: center;">.. 2 ..</p> <p>in the Municipal Corporation Act. It is contended by Mr. B.P. Sharma, learned counsel for the petitioner that the same matter was already adjudicated ^{upon} before the Commissioner and there is an order passed by the Commissioner. The petitioner is at liberty to produce any such documents before the Commissioner.</p> <p>In the interest of justice, I direct that the building in question shall not be demolished before the matter is finally decided by the Commissioner. In the result, this petition is disposed of as ^{Premature} infractionous.</p>	<p style="text-align: right;">Sd/- Chief Justice</p>