

(2018) 09 CHH CK 0054

Chhattisgarh High Court

Case No: Writ Petition (C) No. 2305 Of 2018

Rizwan Siddiqui

APPELLANT

Vs

Commissioner Municipal

RESPONDENT

Corporation Bilaspur And Ors

Date of Decision: Sept. 4, 2018

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Rahul Sharma, Rajendra Tripathi, Pankaj Agrawal

Final Decision: Disposed Of

Judgement

Prashant Kumar Mishra, J

1. Learned counsel for the petitioner would submit that the Municipal Corporation, Bilaspur is raising construction of a community hall over the land,

part of which belongs to the petitioner. He would further submit that on application being moved before the Commissioner, Municipal Corporation,

Bilaspur for stoppage of construction, the Municipal Corporation, Bilaspur wrote back to the petitioner on 13.07.2018 directing him to seek

demarcation of the land in question and submit the same so that further action can be ascertained. Pursuant to the said letter of the Municipal

Corporation, the petitioner has moved application for demarcation before the Tehsildar, Bilaspur on 25.07.2018, which is still pending consideration.

However, in the meanwhile, the Municipal Corporation is hurrying up the construction activity, therefore, if the entire construction is completed without the land being demarcated, the petitioner would suffer irreparable loss.

2. It is settled that writ Court does not enter into dispute of civil nature, however, in the case at hand, the Municipal Corporation itself has directed the petitioner to get the land demarcated and his application before the Tehsildar, Bilaspur is pending, therefore, the writ petition is disposed of with direction to the Tehsildar, Bilaspur, the respondent No.2, to complete the demarcation at the earliest, preferably within a period of 15 days from today.

3. The petitioner as well as learned State counsel shall inform the Tehsildar, Bilaspur about this order within 3 days.