

(2018) 09 CHH CK 0212

Chhattisgarh High Court

Case No: Writ Petition (C) No. 266 Of 2013

Prem Prakash Lath

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision: Sept. 12, 2018

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Abhishek Sinha, R. Tripathi, Pankaj Agarwal

Judgement

Prashant Kumar Mishra, J

1. Heard.

2. All the parties would agree that the impugned order -Annexure P/1 may be quashed and a liberty be reserved in favour of the Municipal

Corporation, Bilaspur to pass fresh order after affording opportunity of hearing to the petitioner and respondent No.5 since the impugned order has

been passed in apparent violation of principles of natural justice.

3. The joint statement made by learned counsel for the parties appear to be just and proper, therefore, the writ petition is allowed. The impugned order

-Annexure P/1 is quashed only on the ground of violation of principles of natural justice and the matter is remitted back to the Municipal Corporation

for passing fresh order after providing opportunity of hearing to the petitioner and respondent No.5.

4. As a consequence of quashment of impugned order-Annexure P/1, the further consequential allotment in favour of respondent No.5 is also quashed

and the Municipal Corporation, Bilaspur shall pass fresh order in respect of both the petitioner and respondent No.5 under the extant scheme

applicable at the relevant time and in accordance with law.

5. Let fresh order be passed within a period of three months from today.

6. Till then, status quo in respect of the subject shops be maintained in all respect.