

(2001) 11 JH CK 0003

Jharkhand High Court

Case No: CWJC No. 1673 of 2001

Awadhesh Kumar Pandey

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision: Nov. 27, 2001

Hon'ble Judges: Vinod Kumar Gupta, C.J; M.Y. Eqbal, J

Bench: Division Bench

Advocate: Rajeeva Sharma, H. Patwari and S.K. Dubey, for the Appellant; M.M. Banerjee, A.G., Rajiva Ranjan Mishra, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

The Court

1. After hearing the learned counsel for the parties and on perusal of the affidavits filed, particularly the latest affidavit filed by the Deputy Commissioner, Pakur on 17.10.2001, we dispose of the writ application and the intervention application by passing the following orders :--

(i) Within three months from today the process of shifting of the bus stand from the present location to the proposed location shall be completed. Time for this shall not be extended, unless for compelling and properly explained reasons the State approaches us before the expiry of. three months for extension; and

(ii) Mr. Rajiva Ranjan Mishra, learned counsel appearing for the intervenor, has stated and undertaken before us that his clients would vacate the premises occupied at present by them in the location of the present bus stand latest by 15.1.2002. Because of this undertaking furnished on behalf of the intervenor, we modify our interim order dated 7.6.2001 to the extent that the demolition of the unauthorised constructions and the vacation of the unauthorised occupiers from the present location of the bus stand shall be deferred till 15.1.2002. Immediately on the expiry of this date, however, we direct the Deputy Commissioner, Pakur to carry out and implement our aforesaid order dated 7.6.2001 in all respects.

The writ application is, accordingly, disposed of.