



NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WRIT PETITION (CIVIL) NO. 2302 OF 2023**

1. Chandrakant Dani, S/o Lt. Dr. D.K. Dani, aged about 52 years, At-  
Amin Para, Purani Basti, Raipur (C.G.) ... **Petitioner(s)**

**Versus**

1. State of Chhattisgarh, through: the Secretary, Department of Urban  
Administration & Development, Mantralaya, Mahanadi Bhavan, Atal Nagar,  
Naya Raipur, District Raipur (C.G.)

2. Chief Municipal Officer, Municipal Corporation, Raipur, Tahsil &  
District Raipur (C.G.)

3. Zone Commissioner, Zone No.05, Municipal Corporation, Raipur,  
Tahsil & District Raipur (C.G.)

4. Shashikant Dani, S/o Lt. Dr. D.K. Dani, aged about 64 years, At- Lilly  
Chowk, Purani Basti, Mahant Laxminarayan Das Ward No.43, Raipur  
(C.G.) ... **Respondent(s)**

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For Petitioner	:	Mr. Lukesh Kumar Mishra, Adv.
For Respondent No.1	:	Mr. Pawan Kesharwani, P.L.
For Respondents No.2 & 3	:	Ms. Pragati Kaushik, Advocate, under instructions of Mr. Sandeep Dubey, Advocate.

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**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**[12/05/2023]**

1. The dispute seems to be in between the two brothers, i.e., the  
Petitioner and Respondent No.4 herein, in respect of the private property  
belonging to the Petitioner as also to Respondent No.4.

2. Considering the fact that the dispute *inter se* is between the two  
brothers in respect of their ancestral property, this Court is not inclined to  
entertain the present Writ Petition. Moreover, the dispute seems to be in  
respect of alleged encroachment made by Respondent No.4 over the  
share which belongs to the Petitioner, which again is a dispute which  
cannot be entertained by exercising the powers conferred upon the Writ  
Court under Article 226 of the Constitution of India.

3. Given the said facts, the present Writ Petition deserves to be and  
the same is accordingly dismissed. However, the right of the Petitioner  
stands reserved to avail such other remedies available to him under law.

Sd/-  
**(P. Sam Koshy)**  
**JUDGE**