



HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

WPC No. 2685 of 2023

- M/s Mahatwakanchhi Builders Pvt. Ltd. Through Its Director, Naveen Singh, S/o R.B. Singh, Aged About 52 Years, R/o H.No. 62, Phase 5a, Road No. 7, Maitri Nagar, Risali, Bhilai, District : Durg, Chhattisgarh

---- Petitioner

Versus

1. Municipal Corporation, Risali Through The Commissioner, Risali, Bhilai, District : Durg, Chhattisgarh
2. The Collector Durg, District : Durg, Chhattisgarh

---- Respondents

<u>26.06.2023</u>	Mr. Abhinav Kardekar, Advocate for Petitioner. Mr. Raghvendra Pradhan, Addl. A.G. for the State. Admit. Let notice be issued to the Respondent No. 1 on payment of P.F. as per rules. Heard on I.A. No. 1, application for grant of interim relief. Considering the specific provision i.e. Rule 13 of the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013, it appears that though the respondent No. 1 at the first instance has issued show-cause notices on 13.03.2023 & 17.04.2023, to which the petitioner had filed detailed reply on 01.05.2023 and 31.05.2023, however thereafter there does not seem to be any order passed by the Corporation or at-least the petitioner has not brought it on record. The impugned notices have been straight away published putting up certain flats of the petitioner for auction as have been contented by the
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counsel for Petitioner.

The petitioner in his reply has categorically given undertaking that the remaining work of the incomplete flats shall be concluded at any cost within a period of eight months which too has not been considered by the Corporation.

Given the said facts and circumstances of the case, subject to the undertaking as given by the petitioner that they shall also make all endeavour in completing the remaining work within a period of 8 months and as of now, the impugned notice prima facie seems to be in contravention to the Rule 13 of the aforesaid Rules 2013, there shall be stay on the effect and operation of the impugned order Annexure P/1 dated 22.05.2023, till the next date of hearing.

Sd/-
(P. Sam Koshy)
JUDGE