

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPC No. 3244 of 2023Anil Kumar Tomar and others **Versus** State of Chhattisgarh and others

19.07.2023	Mr. R.S. Marhas, Advocate with Mr. Aman Tamboli, Advocate for Petitioner. Mr. Pawan Kesharwani, Panel Lawyer for the State. Mr. Sandeep Dubey, Advocate for Respondent No. 5/ Municipal Corporation, Bilaspur. Learned counsel for petitioners submits that petitioners are residents of Shivam Enclave, Apartments and Society developed by the builders, they were residing there and using the entrance gate and road for their access freely till June, 2023 when Respondent No. 7 suddenly blocked the entrance and road by raising wall construction. This illegal act of Respondent No. 7 was complained to Respondent No. 5/ Municipal Corporation and in turn Respondent No. 5 has also issued letter/ notice to Respondent No. 7 for removing the said construction, however, till date neither the construction has been removed nor the Municipal Corporation has taken firm steps for removing illegal construction. Learned counsel for Respondent No. 5 submits that after taking cognizance of the complaint/ application submitted by petitioners they have already issued notice/ letter and they have also written letter to Superintendent of Police, Bilaspur for providing police force for removing

construction raised by Respondent No. 7.

In the aforementioned facts of the case, let notice be issued to Respondent No. 7.

Learned counsel for petitioners submits that as the entry road has been blocked by constructing wall in front of main gate of building, he may be permitted to serve *dasti* to Respondent No. 7 in addition to usual mode of service.

Let urgent notice be issued to Respondent No. 7 by usual mode and registered post as well as *dasti* mode, fixing the date of hearing of this case on 27.07.2023.

Sd/-
(Parth Prateem Sahu)
Judge