



2025:CGHC:11115



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5397 of 2024

1 - Vishnu Prasad Agrawal S/o Late Shri Devkinandan Agrawal, Aged About 45 Years Opposite State Bank Of India, Sarkanda, Bilaspur, District Bilaspur (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through The Secretary, Department Urban Administration And Development Mahanadi Bhawan, Mantralaya Atal Nagar, Naya Raipur, District Raipur (C.G.)

2 - The Director, Directorate Of Urban Administration And Development Indrawati Bhawan, Atal Nagar, Nawa Raipur, District Raipur (C.G.)

3 - The Chief Municipal Officer, Municipal Council, Takhatpur, District-Bilaspur (C.G.)

... Respondents

(Cause title is taken from Case Information System)

For Petitioner	: Mr. S. S. Choubey, Advocate
For Respondents/State	: Ms. Anuja Sharma, Panel Lawyer
For Respondent No.3	: Mr. Shreyansh Mehta, Advocate

(HON'BLE SHRI JUSTICE BIBHU DATTA GURU)

Order on Board



06/03/2025

1. Pursuance to the order dated 04/03/2025 passed by this Court, Mr. Amresh Singh. CMO, Municipal Council, Takhatpur personally appears and submits that the reply has been filed. He further submits that he joined the Office of CMO just before two months ago on 31/12/2024 and there was no knowledge of service of notice of this Court and tendered apology.
2. The present writ petition has been filed by the petitioner seeking a direction towards the respondent authorities to release the outstanding bill towards construction of work of pond and veterinary market at Takhatpur, District Bilaspur.
3. Learned counsel appearing for the petitioner submits that in the reply filed by Municipal Council in Paragraph 6, they have stated that due to shortage of fund, the Municipal Council was not in a position to release the outstanding dues to the petitioner, however, they have undertaken to make payment of the entire amount with an installment of Rs.1,00,000/- per month and the said submission of the Municipal Council is agreeable to the petitioner and the writ petition may be disposed of by recording the submission of the Municipal Council.
4. I have heard learned counsel for the parties, perused the documents as well as the return filed by the Municipal Council.
5. Paragraph 6 of the return filed by the Municipal Council reads as under:-

"6. It is further submitted that presently, there is an acute shortage of funds with the Municipal Council,



Takhatpur. In view of the said shortage, the answering Respondent humbly craves the leave of this Hon'ble Court to allow the answering Respondent to disburse the outstanding payment by way of paying monthly installments to the tune of INR 1,00,000/- (Rupees One Lakh only) per month. In this regard, the answering Respondent has also issued communication dated 05.03.2025 to the present Petitioner. Copy of the communication dated 05.03.2025 issued by Respondent No. 3 to the Petitioner"

6. As the Municipal Council is ready to pay the total outstanding dues as claimed by the petitioner within an installment of Rs.1,00,000/- per month and the said submission of the Municipal Council is agreeable to the petitioner, therefore, there is nothing remains to be adjudicated in this writ petition and the same deserves to be disposed of.
7. In view of the above and considering the undertaking given by the respondent No.3/ Municipal Council, Takhatpur in the return filed by it in Paragraph 6, the instant writ petition is disposed of.

Sd/-
(BIBHU DATTA GURU)
JUDGE