



HIGH COURT OF CHHATTISGARH AT BILASPUR

Order Sheet

WPC No. 5196 of 2025

SHRI ASHOK CHOUBEY & Anr. **versus** STATE OF CHHATTISGARH & Ors.

07/10/2025	Mr. Manoj Paranjpe, Sr. Advocate along with Mr. Sabyasachi Choubey, counsel for the petitioners. Ms. Upasana Mehta, Dy. GA for the State. Mr. Pankaj Agrawal, counsel for the Municipal Corporation. Heard on I.A. No.01/2025, application for grant of ad interim writ. Learned senior counsel appearing for the petitioners contended that by way of instant writ petition are challenging the legality, validity and propriety of the order dated 09.09.2025 (P/2), wherein, the respondent no. 6 (The Member- Secretary Town & Country planning, Raipur) has directed the respondent no. 4 (Zone Commissioner, Zone No. 5, Municipal Corporation, Raipur) to submit an amended draft of building map considering the width of the proposed road in question to be of 18 meter, whereby, the authorities have arbitrarily and wrongly applying the Raipur Development Plan (2031) instead of Raipur Development Plan (2021) especially when the respondent authorities themselves have admitted that the application of the petitioners has been wrongly adjudicated in 2023 and at that point of time the Raipur Development Plan (2021) was in
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force, therefore while reconsidering the order of regularization proposed width of the road ought to have been considered as 16 meter as per Para- 2 of Annexure P-12. He further contended that the petitioners have raised construction in accordance with the sanctioned map in their own land, but looking at the need of hour, they have made certain construction and thereafter they have filed application for regularization which has not been considered by the respondent authorities on this basis that there is 24 meters width road proposed. However, this is wrong information because as per Annexure P-12, the width of the road is 16 meters as per the current plan 2021 which have been applied for the petitioners.

Looking to the facts and circumstances of the case, purely as an interim measure, it is directed that, till the next date of hearing, the respondents shall not remove the alleged excess construction against the petitioners.

Learned counsel for the Municipal Corporation prays for and is granted two weeks time to file reply.

List this case after two weeks along with WPC No.1948 of 2025.

Sd/-
(Arvind Kumar Verma)
Judge