

ishan Mishra Vs. Madhya Pradesh Housing and Infrastrucure Developmnt Board

ishan Mishra Vs. Madhya Pradesh Housing and Infrastrucure Developmnt Board

SooperKanoon Citation : sooperkanoon.com/1093371

Court : Madhya Pradesh

Decided On : Oct-07-2013

Appellant : ishan Mishra

Respondent : Madhya Pradesh Housing and Infrastrucure Developmnt Board

Advocate for Pet/Ap. : Shri. Sanjayram Tamrakar

Judgement :

1 WP No.16382/13 (PIL) 07.10.2013.

Shri Sanjayram Tamrakar, learned counsel for the petitioner.

Shri P.K.Kaurav, learned Addl.AG for the respondents No.4,5 and 6.

The petitioner has sought the following reliefs :- (a).To issue a writ in the nature of mandamus, respondent no.9 and 10 may kindly be restrained to raise the construction over the open space of the colony; (b) To issue a writ in the nature of mandamus, respondent no.5 and 6 may kindly be directed to enquire into the matter in respect to forgery committed by respondent No.7 to 10; (c) To issue a writ in the nature of mandamus, respondent No.4 may kindly be directed to take action against the erring officer who were involved in forged sale deed; (d) To issue a writ in the nature of mandamus, respondent no.3 may kindly be directed to cancel the building permission in favour of respondent No.9 and 10; (e) Any other

relief which this Honble Court deems fit may kindly be awarded in the facts and circumstances of the case including costs . Case of the petitioner is that the respondent No.7 to 10 have not constructed their houses as per the plan prepared by the respondent no.2, and have raised construction at an area which was required to be kept open by them.

It is submitted that this petition 2 may be entertained and the aforesaid reliefs may be granted to the petitioner.

For redressal of the grievance, petitioner can approach to respondent no.3 who is the appropriate authority to look into the aforesaid grievance.

If any such grievance is raised by the petitioner by filing a duly constituted representation supported by necessary documents, respondent no.3 shall look into the grievance of the petitioner, after extending due opportunity of hearing to all the concerned parties.

In view of aforesaid, this petition is not entertained, and is disposed of finally with the following directions: (i) Petitioner may submit a representation to respondent no.3 agitating his grievance supported by necessary documents and a copy of this petition for the ready reference of respondent no.3; (ii) If any such prayer is made by the petitioner to respondent no.3, the respondent no.3 shall look into the grievance of the petitioner, and after hearing the affected parties shall decide the matter expeditiously, as far as possible within a period of four months from the date of filing of such representation. No order as to costs.

(Krishn Kumar Lahoti) (Subhash Kakade) Acting Chief Justice Judge.

Jk.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com