



CGHC010034122019



2026:CGHC:40956

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HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 115 of 2019**

1 - C. G. Lok Ayog Gandhi Chowk, Raipur Chhattisgarh Through Its Secretary, Presently Being Represented For This Petition Through Mr. M. Rizwan Khan, Legal Advisor Lok Ayog, S/o Shri G. Mohiuddin, Aged About 53 Years, R/o E/2, Girls Polytechnic College, Byron Bazar, Raipur Chhattisgarh.

--- Applicant (s)**versus**

1 - G. S. Thakur S/o Jogan Singh Thakur Aged About 59 Years Water Resource Devel, Maniyari Division, P.S. And District Mungeli Chhattisgarh

2 - State Of Chhattisgarh Through Secretary, Department Of Water Resources, D.K.S. Bhawan, Raipur Chhattisgarh

3 - Executive Engineer Rural Engineering Services Division Janjgir, District Janjgir Champa Chhattisgarh.

4 - Executive Engineer Minimata Bango Nahar Division Number - 5 Kharsiya, Raigarh Chhattisgarh

5 - B.L. Arya S/o K.P. Arya Executive Engineer, Mahanadi Reservoir Project Thana - Civil Line Raipur Chhattisgarh

6 - Ram Krishna Gabel S/o Nankiram Gabel Village - Janjgir, Tahsil And Thana Sakti, District Janjgir Champa Chhattisgarh

7 - Director Command Area Devel. And Water Management (CADWM) Program New Delhi, District New Delhi

--- Respondent(s)

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MCC No. 133 of 2019

1 - C. G. Lok Ayog Gandhi Chowk, Raipur Chhattisgarh, Through Its Secretary, Presently Being Represented For This Petition Through Mr. M. Rizwan Khan, Legal Advisor Lok Ayog, S/o Shri G. Mohiuddin, Aged About 53 Years, R/o E/2, Girls Polytechnic Collage, Byron Bazar, Raipur Chhattisgarh. (The Details Of The Applicant Are Incorrect, Incomplete And Insufficient In The Impugned Order And Therefore The Complete Details Are Being Provided For The Instant Petition.)

---Applicant (s)

Versus

1 - Victor Minj S/o Gabriel Minj Aged About 53 Years R/o W.R.D. Construction Sub Division No.1, Thana Gamdi Nagar, Ambikapur, District - Surguja Chhattisgarh. Pin 497001 --- (Petitioner)

2 - State Of Chhattisgarh Through Its Secretary, Department Of Water Resource Department, D.K.S. Bhawan, Raipur Chhattisgarh. ---- (Res. No.1)

3 - Executive Engineer Rural Engineering Service Division Janjgir, District - Janjgir Champa Chhattisgarh

4 - Executive Engineer Minimata Bango Nagar, Division No. 5, Kharsiya, District - Raigarh Chhattisgarh

5 - Mr. B.L. Arya Executive Engineer, S/o K.P. Arya, Office Of The Chief Engineer, Mahanadi Reservoir Project, Thana, Shankar Nagar Raipur Chhattisgarh

6 - Ram Krishna Gabel S/o Nankiram Gabel Aged About 40 Years Village Janjar, Tahsil - Sakti, District - Janjgir - Champa Chhattisgarh. Pin 495689

7 - Director Command Area Development And Water Manager (CADWM) Program, New Delhi.

--- Respondent(s)

For Applicant(s)	: Shri A.K.Samantray, Advocate
For Respondent No.1	: Shri Mahesh Kumar Mishra, Advocate
For State	: Ms. Veethika Choubey, Panel Lawyer

{{Hon'ble Shri Justice Sachin Singh Rajput}}

Order on Board

21/09/2026

Since the issue involved in these MCC applications are similar to each other, they are being heard and decided by this common order.

2. Learned counsel for the applicant submits that aforesaid MCC applications have been filed for recalling/modification of order dated 03/07/2018 passed in WPS No.5079/2012 and order dated 18/09/2018 in WPS No.4822/2012. He submits that while allowing the writ petition No.5079/2012 filed by G.S.Thakur and WPS No.4822/2012 filed by Victor Minj, this Court has made contradictory observations. He submits that in paragraph 9 of the impugned order dated 03/07/2018 in WPS No.5079/2012, this Court observed that the applicant could not propose the punishment to be imposed neither he could call for the compliance report from the State Government. He submits that the finding is contrary to Section 11 (2) and (3) of the Chhattisgarh Lok Ayog Adhiniyam, 2003 (for short 'the Act of 2003'). Apart from this, it has been further submitted that in the concluding paragraph 12 of the impugned order, liberty was granted in favour of the State Government to proceed against respondent No.1 herein in accordance with law pursuant to the order/communication made by the applicant while setting aside the impugned order in the writ petition. Thus, he submits that there is contradictory observations made in the writ petition and apart from this, the observation made in paragraph 9 is also against the law.

3. Shri Mishra supports the impugned order and submits that the Lok Ayukt cannot punish any person according to the Act of 2003.

4. Be that as it may, from perusal of the impugned order and the grounds urged in the application for modification, it appears to be a case being agitated on merits. If any finding is against the applicant, the recourse available to the applicant was to file a writ appeal against the impugned order. These MCC applications for modification / recalling the order appears to be in the guise of rehearing of the writ

petitions. Thus, this Court does not find any merit in these MCC applications. Both the MCCs are accordingly dismissed.

Sd/-
({Sachin Singh Rajput})
JUDGE

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