

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 782 of 2015

- Saraswati Machuwa Sahkari Samiti Maryadit, Rock, Block Masturi, District Bilaspur (Chhattisgarh) Through Its President Ram Khilawan Kewat, S/o Dukhiram Kewat, Aged About 65 Years, R/o Village Rock, Janpad Panchayat, Masturi, District Bilaspur, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Agricuolture, Mahanadi Bhawan, New Mantralaya, Naya Raipur, (Chhattisgarh)
2. The Collector, Bilaspur, District Bilaspur (Chhattisgarh)
3. The Deputy Director, Department Of Fisheries, Bilaspur, District Bilaspur, (Chhattisgarh)
4. Janpad Panchayat Masturi, Through Chief Executive Officer, Janpad Panchayat Masturi, District Bilaspur, (Chhattisgarh)
5. Gram Panchayat, Rock, Through Sarpanch, Rock, Janpad Panchayat, Masturi, District Bilaspur, (Chhattisgarh)
6. Machuwa Sahkari Samiti Maryadit Through Its President Kriparam Lokpratap Singh, S/o Krishna Kumar Rathore, Aged Abut 29 Years, R/o Village Rock, Janpad Panchayat, Masturi, District Bilaspur, (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Indra Sen Sahu, Advocate
For Respondent/State	Mr. P.K. Bhaduri, Govt, Advocate
For Respondent No.4	Mr. Ratnesh Agarwal, Advocate
For Respondent No.6	Mr. A.N. Bhakta, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/11/2015

Heard finally with the consent of learned counsel for the parties.

The petitioner has assailed the legality and validity of the order passed by the CEO, Janpad Panchayat, Masturi, granting lease of fishing rights to respondent No.6.

Admittedly, such order is appealable under Section 91 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 read with Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995.

In view of the existence of alternative remedy, the writ petition is disposed of with a direction that in the event, the petitioner prefers an appeal before the appellate authority within 30 days from today, the appellate authority shall consider and decide the same on its own merits.

Sd/-

Judge

(Prashant Kumar Mishra)

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