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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 452 of 2015**

- Alok Pandey S/o Shri B.K. Pandey, aged About 32 years, R/o New Karmachari Colony, Piyush Nagar, Kushalpur, Raipur, Civil & Revenue District Raipur (C.G.)

---- **Petitioner****Versus**

1. State of Chhattisgarh, through Secretary, Urban Administration Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur (C.G.)
2. State of Chhattisgarh, through Secretary, Department of Revenue, Mananadi Bhavan, Mantralaya, New Raipur, District Raipur (C.G.)
3. Collector, Raipur, District Raipur, (C.G.)
4. Commissioner, Municipal Corporation, Raipur, District Raipur (C.G.)
5. Tahsildar, Raipur, District Raipur, (C.G.)
6. Parmeshwar Sinha, R/o near Tedgi Mandir, Maharaj Bandh Talaba, Mahamaya Mandir ward, Raipur, District Raipur (C.G.)

---- **Respondents**


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| For Petitioner             | : | Shri RS Baghel, Advocate          |
| For Respondent No. 1 to 5: |   | Shri A. Pandey, PL for the State. |

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****13/03/2015**

Heard learned counsel for the parties.

1. The petitioner has preferred this writ petition seeking a direction to the respondents to remove encroachment from Choukhadiya pond bearing Khasra No.1755 situated at Raipur.
2. It appears, the petitioner has preferred representations before the Collector

and the Municipal Corporation for taking action for removal of encroachment from the subject pond, however, the said representation has not yet been considered.

3. Having regard to the nature of controversy and the nature of relief claimed in this writ petition, it would be appropriate to dispose of the writ petition with a direction that in the event the petitioner prefers fresh representation before respondents No.3 & 4 within a period of four weeks from today, the said respondents shall consider and decide the same, in accordance with law, at the earliest, preferably within a period of three months from the date of submission. The petitioner shall be informed about the decision taken on his representation.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the representation, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

JUDGE

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