

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1531 of 2015

Vinod Kumar Soni S/o Punam Chand Soni, Aged About 35 Years R/o
Kotara Road, Raigarh, District Raigarh, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Secretary, Revenue Department,
Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh)
2. Collector, Raigarh, District Raigarh, (Chhattisgarh)
3. Sub Divisional Officer (Revenue), Gharghoda, District Raigarh,
(Chhattisgarh)
4. South Easter Coalfield Limited, Through: The Manager, Office Baroud
Coliery, Gharghoda, Tahsil Gharghoda, District Raigarh,
(Chhattisgarh)

---- Respondents

For Petitioner	: Shri Raghavendra Pradhan, Advocate.
For Respondent1 & 3/State	: Shri Arun Sao, Dy.A.G.
For Respondent No.4	: Shri Pankaj Agrawal, Advocate.

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

28/08/2015

Grievance of the petitioner is that respondent No.4 is dumping the dust of the coal on the agricultural land of the petitioner as a result of which every year not only the petitioner is suffering financial loss but the fertility of his land is also being affected at large.

Counsel for the petitioner submits that the petitioner has made several representations to the competent authorities but till date no action has been taken against the respondent No.4. He however submits that the petitioner may be permitted to withdraw this petition with liberty to file representation before the competent authority and direction may be issued for deciding the same.

Counsel appearing for the State submits that let the petitioner make a fresh representation before the Collector, Raigarh and in turn his representation would be decided in an objective manner.

Counsel appearing for the respondent No.4 submits that he has no instructions from his client as on date.

Considering the facts and circumstances of the case, the petitioner is permitted to withdraw this petition with liberty to file representation before the Collector and in turn the Collector shall decide the same in accordance with law in an objective manner within a period of three weeks from the date of receipt of the same.

If it is being found that respondent No.4 is unauthorizedly using the land of the petitioner the Collector will immediately pass necessary order as required under the law.

It is made clear that this Court has not observed anything on merits and it would be for the Collector to decide the case in accordance with law.

Sd/-
Pritinker Diwaker
Judge