

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.731 of 2016**

- Kaushal Ram Gharate, S/o Parashuram, Aged about 40 years, resident of village-Dhotimtola, Gram Panchayat – Dhotimtola, post office Salde, Police Station Daundi, District Balod (C.G.)

---- Petitioner**Versus**

1. State Of Chhattisgarh, through Secretary, Panchayat Avam Gramin Vikash Vighag, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. The Collector, District Balod (C.G.)
3. The Chief Executive Officer, Zila Panchayat Balod, District Balod (C.G.)
4. The Sub-Divisional Officer (Rev.) Division Daundi-Lohara, District Balod (C.G.)
5. The Chief Executive Officer, Janpad Panchayat Daundi, District Balod (C.G.)
6. The Sarpanch, through its Smt. Vidya Rawate, Gram Panchayat Dhatimtola, Block Daundi, District Balod (C.G.)

---- Respondents

For Petitioner	:	Shri Ravi Maheshwari, Advocate
For Respondents	:	Shri Rama Kant Mishra, Deputy Advocate General

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****21/03/2016**

Heard

2. This petition has been filed by the petitioner setting out a grievance that respondent No.6, who is Sarpanch of Gram Panchayat Dhotimtola, is creating obstruction in construction of Panchayat Bhawan at village Dhotimtola, therefore, prayer has been made for a direction to the concerned officers to proceed with the construction of Panchayat Bhawan.

3. Learned counsel for the petitioners has drawn the attention of this Court to the order dated 21.09.2015 of the Directorate of Panchayat as also order of administrative sanction of Chief Executive Officer, Zila Panchayat, Balod, issued on 24.11.2015. He further submits that thereafter on 03.06.2015, the Office of Janpad Panchayat, Daundi has issued necessary

direction. On 09.06.2015, Janpad Panchayat, Daundi has also issued notice to respondent No.6 for undertaking the necessary construction work. Therefore, all the authorities may be directed for taking necessary steps for construction of the Panchayat Bhawan.

4. None of the orders placed on record would show that any decision has been taken to stop the construction. This petition has been filed on the allegation that respondent No.6 is creating obstruction in construction of the Panchayat Bhawan.

5. As long as the orders of the authorities stands, construction has to be raised.

6. State counsel also submits that the petitioner has not placed on record any decision to stop the construction.

7. The petition, at this stage, appears to be without any cause of action.

8. With the observation that the authorities concerned are expected to act according to their decision, this petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge