

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(PIL) No. 55 of 2016

1. Ram Singh Mohiley S/o Shri Gopilal Mohiley, aged about 47 years R/o Village Indori, Post Indori, Tahsil Kawardha, District Kabirdham, Chhattisgarh
2. Kanhaiya Prasad Mishra, S/o Shri Govind Prasad Mishra, R/o Village Indori, Post Indori, Tahsil Kawardha, District Kabirdham, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh through the Chief Secretary, Mahanadi Bhawan, Mantralaya, Naya Raipur, Mandir Hasod, District Raipur, Chhattisgarh
2. The Chairman, Vikaskhand Punarghatan Aayog, C 52, Shailendra Nagar, Raipur, Chhattisgarh
3. The Secretary, Department of Panchayat, Mantralaya, Mahanadi Bhawan, Naya Raipur, Mandir Hasaud, District Raipur, Chhattisgarh
4. The Collector, Kabirdham, District Kabirdham, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Amrito Das, Advocate
For Respondent/State	:	Shri Prafull N. Bharat, Addl. Advocate General

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board By

Per Deepak Gupta, Chief Justice

03/08/2016

1. This petition has been filed in the public interest. The grievance of the petitioners who are the resident of Village Indori is that earlier the Collector had recommended that their village would be the headquarter of new proposed Block in Kabirdham District. The allegation of the petitioners is that now the State is proposing to fix the headquarter of the new Block at Village Thathapur (Rampur). This is not a dispute which can be decided by

this Court exercising its jurisdiction. It is for the administration to decide how and where the Blocks are carved out.

2. Shri Das submits that there are some guidelines framed and the State Government is bound to follow them. We are not going to this aspect of the matter.
3. We have been informed that the petitioners have already filed a representation to the Chairman of Block Re-organization Commission. This Commission has no judicial power and it has only recommendatory powers. Therefore, the petitioner may also file an appropriate representation to the Chief Secretary, the Govt. of Chhattisgarh. The Chief Secretary shall consider the representation of the residents of village Indori and also the representation, if any, of the residents of Village Thathapur and if there is no representation by the residents of Village Thathapur, a notice would be sent to them through the Pradhan. After considering the representations, the Chief Secretary shall take an appropriate decision within three months from the date of filing of the representation. The representation will be filed along with the certified copy of this order.
4. With the aforesaid observations, the petition stands disposed of.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE