

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1162 of 2013

1. Manasram Dansena S/o Nandram Aged About 56 Years Agrictultrist, R/o Village Basanpali, Post Sondaka, Tah Kharsiya, Thana Kharsiya, Dist -Raigarh, Cg
2. Rohini Bai Patel Wd/o Bhuneshwar Aged About 85 Years Agrictultrist, R/o Village Basanpali, Post Sondaka, Tah Kharsiya, Thana Kharsiya, Dist Raigarh, Cg
3. Lelawati Patel W/o Surajbhan Patel Aged About 48 Years Agrictultrist, R/o Village Basanpali, Post Sondaka, Tah Kharsiya, Thana Kharsiya, Dist Raigarh, Cg
4. Umadevi Patel W/o Rupnarayan Patel Aged About 45 Years Agrictultrist, R/o Village Basanpali, Post Sondaka, Tah Kharsiya, Thana Kharsiya, Dist Raigarh, Cg

---- Petitioners

Versus

1. State Of Chhattisgarh Through Secretary Department Of Industries Mantralaya Mahanadi Bhawan Raipur C.G.
2. Union Of India Through Secretary, Minsitry Of Environment And Forest, CGO Complex, New Delhi
3. Managing Director C.G. State Industrial Development Corporation (C.S.I.D.C.) Jeevan Beema Parisar, Pandari, Raipur, Dist Raipur, Cg
4. Director Directorate Of Industries, 2nd Floor, Jeevan Beema Parisar, Pandari, Raipur, Dist Raipur, Cg
5. Collector Raigarh, Dist Raigarh, Cg
6. General Manager District Trade And Industries Centre, Raigarh, Dist Raigarh, Cg
7. Sub Divisional Officer (Revenue) - Cum-Land Acquisition Officer, Kharsia, Distt Raigarh, CG
8. Tahsildar, Kharsiya Distt Raigarh, Cg
9. Regional Officer Regional Office, Environment Conservation Board, Near T.V.Rower, Raigarh, Dist Raigrh, Cg
10. M/s DB Power Ltd., Having Its Registered Office At, 6 Dwarka Sadan, Press Complex, Mp Nagar, Zone-I, Bhopal 4620011 (Mp), Through Its Managing Director,

---- Respondents

Shri Harsh Wardhan and Shri Roshan Dubey, counsel for the petitioner/s.
Shri Ramakant Mishra, Dy.A.G. for the State.

Shri Kashif Shakeel, counsel for respondent No.3.

Shri Sudhir Bajpai, counsel for respondent No.9.

Shri N.K.Shukla, senior counsel along with Shri Jitendra Pali and Shri Shailendra Shukla, counsel for respondent No.10.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/04/2016

There are as many as 4 applications for withdrawal of the petition on behalf of the existing petitioners. These applications have been filed by the petitioners stating that they does not wish to press this petition any more.

There is however an application for impleadment by one – Dhansingh Dadsena, who happens to be co-owner and brother of the other petitioners, who does not wish to proceed further in this case.

When the existing petitioners are not inclined to proceed with the matter, this petition cannot be allowed to continue merely because some other person intends to join the petition.

If the intending petitioner intends to ventilate his grievance, it is for him to file a fresh petition with pleadings on affidavit with documents. This petition cannot be kept pending when other petitioners are not inclined to proceed with the matter.

In view of above, the application for withdrawal of the petition moved by the existing petitioners - Manasram Dansena, Lelawati Patel, Rohini Bai Patel and Umadevi Patel are allowed. The petition is dismissed as withdrawn reserving liberty to Shri Dhansingh Dansena to file separate petition on its own footing and on such grounds as may be available to him under the law.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Deepti