

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (PIL) No. 15 of 2016

Kabir Nagar Avasiya Kalyan Sangh Through : The President, Ajay Chandravanshi S/o Late R. D. Chandravanshi, Aged About 58 Years, R/o M. D. S. 132, Kabir Nagar Phase-1, Raipur, Tahsil and District Raipur (Chhattisgarh).

---- Petitioner

Versus

1. State of Chhattisgarh Through : The Secretary, Urban Administration And Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh).
2. Secretary, Housing and Environment Department, Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh).
3. Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, New Raipur (Chhattisgarh).
4. Director, Directorate of Town and Country Planning Department, Office At Indravati Bhawan, Block No. 4. 3rd Floor, New Raipur, District Raipur (Chhattisgarh).
5. Chhattisgarh Housing Board, Through : The Commissioner, Office at Shankar Nagar, Raipur (Chhattisgarh).
6. Municipal Corporation Raipur, Through: The Commissioner, Municipal Corporation, Raipur (Chhattisgarh).
7. Executive Engineer, Chhattisgarh Housing Board, Division No. 1, Raipur, (Chhattisgarh).

---- Respondents

For Petitioner : Shri Praveen Dhurandhar, Advocate.
For Respondent/State : Shri AS Kachhwaya, Additional Advocate General.
For Respondent No.5&7 : Shri Sanjay Patel, Advocate.
For Respondent No.6 : Shri HB Agrawal, Sr. Advocate along with Shri Shashi Kumar Kushwaha, Advocate.

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

Order On Board

Per, Deepak Gupta, CJ.

14/09/2016

1. On 18.07.2016, this court had passed the following order:

“This petition has been filed in public interest and the petitioner Society represents the residents of Kabir Nagar, Phase-1, Raipur. This is a colony which was constructed by the Chhattisgarh Housing Board. Grievance of the petitioner is that the sewerage system in this Colony is totally non-functional. Some photographs have been attached with the

petition which depict the deplorable state of affairs where sewerage is flowing in the open. The stand of the Chhattisgarh Housing Board is that it had created a good infrastructure for managing the sewerage but due to widening of road i.e. six laning of road running adjacent to this Colony by the PWD, the sewerage works have been damaged and adversely affected. As far as the Municipal Corporation is concerned, according to it, this Colony has still not been handed-over to the Corporation. The State and the Secretary, Public Works Department, have not filed reply. All the respondents are bodies under the State of Chhattisgarh which must take immediate steps in the matter.

We, therefore, direct that the Chief Secretary of the State shall convene a meeting of the heads of all the three wings i.e. the Public Works Department, the Chhattisgarh Housing Board and the Municipal Corporation, and in that meeting a plan shall be drawn-up as to how this disposal of sewerage in Kabir Nagar, Phase-1, Raipur is immediately dealt with. Such report be furnished to this Court within six weeks from today.”

2. An affidavit dated 09.09.2016 has been filed by Shri Vinod Gaharwar, Executive Engineer, Chhattisgarh Housing Board, Division No.1, Kabir Nagar, Raipur that in terms of the order dated 18.07.2016, a meeting comprising Principal Secretary, Public Works Department, Special Secretary, Urban Administration and the other officials of the concerned department was convened and now tender has been floated and work has already been awarded on 19.08.2016 to M/s Sahu Buildcon for laying of sewerage disposal pile line from Phase-I to Sondongri Nallah along Ring Road No.2 at Kabir Nagar, Raipur.
3. In the affidavit, it has also been assured that the above work shall be completed within a period of three months.
4. In view of the above, nothing survives in this petition for adjudication.
5. Accordingly, the writ petition is disposed of. The security amount deposited by the petitioner be refunded to it in accordance with rules.

Sd/-

(Deepak Gupta)
CHIEF JUSTICE

Sd/-

(P.Sam Koshy)
JUDGE