

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 370 of 2017**

- Pradeep Kumar Tiwari S/o Premshankar Tiwari, Aged About 32 Years R/o Shankar Ward, Bhatapara, Tahsil Bhatapara, District Balodabazaar Bhatapara (Chhattisgarh)

**--- Petitioner**

**Versus**

1. State Of Chhattisgarh Through : The Secretary, Department Of Revenue & Disaster Management, Mantralaya, Mahanadi Bhawan Naya Raipur (Chhattisgarh)
2. The Collector, Balodabazar Bhatapara, District Balodabazaar Bhatapara (Chhattisgarh)
3. Sub Divisional Officer ( Rev.), Bhatapara, District Balodabazaar Bhatapara (Chhattisgarh)
4. Assistant Director, Town And Country Planning, Balodabazaar Bhatapara (Chhattisgarh)

**---- Respondent**

---

|                       |                                    |
|-----------------------|------------------------------------|
| For Petitioner        | Mr. Prakash Kumar Mishra, Advocate |
| For Respondent /State | Mr. Ramakant Mishra, Dy. AG        |

---

**Hon'ble Shri Justice Prashant Kumar Mishra**  
**Order On Board**

**16/2/2017**

5. Heard.
6. The petitioner would call in question the order passed by the Collector, Balodabazar-Bhatapara rejecting his application under Section 172 of the C.G. Land Revenue Code, 1959 for diversion of the land for industrial purpose.
7. The impugned order is appealable under Section 44 of the Code, therefore, the writ petition is not maintainable in view of the law laid down by the Supreme Court in the matter of **Union of India and others Vs. Major General Shri Kant Sharma and another, 2015 AIR SCW 2497.**
8. Accordingly, the writ petition is dismissed, as not maintainable.

Sd/-

Judge

**(Prashant Kumar Mishra)**