

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 242 of 2017**

- Gram Panchayat Kolar, through its Up-Sarpanch Raheesh Chandra Patel, aged about 47 years, S/o late Shri Arjun Patel, R/o Village Kolar, Janpad Panchayat Antagarh, P.S. Raoghat, District Kanker (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh, through Principal Secretary, Department of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Commissioner, Bastar Division, Jagdalpur (CG)
3. District Collector, Kanker (Chhattisgarh)
4. District Collector, Narayanpur (Chhattisgarh)

---- Respondent

For Petitioner : Shri Sushil Dubey, Advocate.

For Respondents : Shri Ramakant Mishra, Deputy AG.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****02/02/2017**

1. The petitioner is a Gram Panchayat within Block Antagarh, District Kanker. They have preferred this writ petition for a direction to the respondents to include Gram Panchayat in the geographical limits of Narayanpur Tehsil and District.

2. It is argued that the petitioner Gram Panchayat is located at a distance of about 20 km from Narayanpur whereas the distance is about 130 km from Kanker. Therefore, the villagers are facing utmost difficulty in going to the district headquarter for different work.
3. Creation of district and fixing geographical limits or boundaries of the district is purely an administrative function with which the High Court should not intervene. Article 226 of the Constitution of India is not a panacea for correcting or interfering with any such activity of the State Government which does not have tapping of adjudicatory function. Even otherwise whenever boundary of a district is determined, one or the other village would be located at some distance from the district headquarter which may be nearer to adjoining district.
4. Learned counsel for the petitioner would pray for a direction to the respondents to decide the representation.
5. I am afraid, such direction cannot be issued in view of the law laid down by the Supreme Court in the matters of **C. Jacob Vs. Director of Geology & Mining & Anr.** {2008 AIR SCW 7233} and **Union of India and Another Vs. Ashok Kumar Aggarwal** {(2013) 16 SCC 147, para-18}.
6. For the foregoing, the Writ Petition being bereft of any substance deserves to be and is hereby dismissed.

Sd/-
Judge
 (Prashant Kumar Mishra)