

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3174 of 2016

- Gram Panchayat Uliya Through Its Sarpanch Rajeshwar Ram S/o. Shri Jungul Ram, Aged About 27 Years, R/o. Gram Panchayat Uliya, Vikas Khand And Janpad Panchayat Rajpur, Distt. Balrampur Ramanujganj (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Water Resources Department Mantralaya Mahanadi Bhawan, Capital Complex, New Raipur, Distt. Raipur (Chhattisgarh)
2. Commissioner, Surguja Division, Ambikapur, District Surguja (Chhattisgarh)
3. Collector, Balrampur Ramanujganj, Distt. Balrampur Ramanujganj (Chhattisgarh)
4. Chief Engineer Irrigation, Water Resources Department Ambikapur, Distt. Surguja (Chhattisgarh)
5. Executive Engineer Water Resources Department, Division- 02 Balrampur Distt. Balrampur Ramanujganj (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sunil Sahu, Advocate
For State	:	Shri Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

04/05/2017

1. Heard.
2. This petition is filed by the petitioner seeking direction to restrain the working agency from carrying its work under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 without use of machinery.
3. Vide order dated 21/12/2016, this Court had ordered that respondent No. 5 shall not perform any work using JCB Machine.

4. Return has been filed by the State. Learned State counsel in addition to various technical objection has submitted that when a report was received that machine is being used by a private farmer for the purpose of filling up the canal, thereafter immediately work was stopped. It is also submitted that a complaint has already been made before Ombudsman for enquiry.
5. Considering the submission of learned counsel for the parties, particularly taking into consideration that in the reply it was submitted that upon receipt information that JCB machine is being used for carrying out work, it was stopped, no further orders are required in this petition. Accordingly, this petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge