

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.1530 of 2017

- Sundar Nishad S/o Jethu Nishad, (Fisheries Farmer) Aged About 38 Years R/o Village Ghoghra Police Station Navagarh District Bemetra Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Panchayat Mahanadi Bhawan, New Mantralaya Raipur, Distt: Raipur Chhattisgarh.
2. The Collector, Bemetara District Bemetara Chhattisgarh.
3. Assistant Director Fisheries District Bemetara Chhattisgarh.
4. T. P. Verma, Fisheries Inspector Navagarh Distt. Bemetra Chhattisgarh.
5. Shatrughan Sahu, S/o Gariba Sahu, Aged About 40 Years Sarpanch, R/o Ghoghra P S Navagarh District Bemetara Chhattisgarh
6. Santosh Sahu, S/o Shri Gariba, Aged About 35 Years R/o Ghoghra P S Navagarh District Bemetara Chhattisgarh

---- Respondents

For Petitioner	:	Shri Dharendra Pandey, Advocate
For Respondent/State	:	Shri R. K. Gupta, Dy.AG

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

19/06/2017

Heard.

2. The petitioner has challenged the resolution passed by the Gram Panchayat, by which, the Gram Panchayat had resolved to grant lease of pond in favour of respondent No.6.

3. Though, number of grounds have been urged in the petition, it appears that lease has not been granted so far to respondent No.6 by any order nor any agreement has been executed. The reason why the petitioner has approached this Court, seems to be that the respondent No.6 has started enjoying leasehold rights in respect of pond

in anticipation of execution of lease deed in his favour, which according to the petitioner, is interfering with enjoyment of leasehold rights in respect of the pond, for which, lease has been granted to the petitioner. If the petitioner seeks to restrain the private party from interfering with his leasehold rights, he has an efficacious remedy to file civil suit and seek injunction.

4. With the said liberty, this petition is dismissed.

SD/-
(Manindra Mohan Shrivastava)
Judge