

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.1769 of 2017**

1. Smt. Parwati Lahre W/o. Shri Premshankar Lahre, Aged About 31 Years Sarpanch Gram Panchayat Mudpar (Chu), Janpad Panchayat Pamgarh, R/o Village Mudpar (Chu), Post Rasouta, Police Station And Tahsil Pamgarh, Civil And Revenue District Janjgir Champa (Chhattisgarh)
2. Premshankar Lahre, S/o Shri Kondaram Lahre, Aged About 29 Years Panch Ward No. 05, Up-Sarpanch Gram Panchayat Pamgarh, R/o Village Mudpar (Chu), Post Rasouta, Police Station And Tahsil Pamgarh, Civil And Revenue District Janjgir Champa (Chhattisgarh).

---- Petitioners**Versus**

1. State Of Chhattisgarh Acting Through The Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Naya Raipur, Civil & Revenue District Raipur (Chhattisgarh)
2. Collector Janjgir, Civil And Revenue District Janjgir Champa (Chhattisgarh)
3. Sub Divisional Officer (Revenue)/ Prescribed Officer, Pamgarh, Civil And Revenue District Janjgir Champa (Chhattisgarh)
4. Tahsildar/ Presiding Officer, Tahsil Pamgarh Civil And Revenue District Janjgir Champa (Chhattisgarh)
5. Pinki Devi Lahre, W/o Shri Dev Kumar Lahre, Aged About 29 Years Panch Ward No. 01 Gram Panchayat Mudpar (Chu),
6. Sonaram Mahipal, S/o Shri Nabheram Mahipal, Aged About 36 Years Panch Ward No. 02 Gram Panchayat Mudpar (Chu),
7. Kevra Patel, S/o. Shri Dilip Kumar Patel, Aged About 33 Years Panch Ward No. 03 Gram Panchayat Mudpar (Chu),
8. Nahar Bai Jangde, W/o Shri Dujram Jangde, Aged About 46 Years Panch Ward No. 04 Gram Panchayat Mudpar (Chu),
9. Upendra Kumar Ratnakar, S/o Shri Jayant Ratnakar, Aged About 49 Years Panch Ward No. 06 Gram Panchayat Mudpar (Chu),
10. Ashwani Kumar Kurrey, S/o Shri Reshulal Kurrey, Aged About 41 Years Panch Ward No. 07 Gram Panchayat Mudpar (Chu),
11. Jagdish Yadav S/o Shri Budhram Yadav, Aged About 46 Years Panch Ward No. 08 Gram Panchayat Mudpar (Chu),
12. Satrupa Ratnakar, W/o. Shri Heeralal Ratnakar, Aged About 33 Years Panch Ward No. 09 Gram Panchayat Mudpar (Chu),
13. Sukrita Lahre, W/o Shri Babulal Lahre, Aged About 32 Years Panch Ward No. 10 Gram Panchayat Mudpar (Chu),
14. Manjulata, W/o Shri Ramesh Kumar, Aged About 25 Years Panch Ward No. 11 Gram Panchayat Mudpar (Chu),
15. Manchitra Patel S/o Shri Baniya Patel, Aged About 46 Years Panch Ward No. 12 Gram Panchayat Mudpar (Chu)

All respondents No. 5 to 15 are R/o Village Mudpar (Chu), Post Rasouta, Police

Station And Tahsil Pamgarh, Civil And Revenue District Janjgir Champa (Chhattisgarh).

---- Respondents

For Petitioners	:	Shri Ramesh Nayak, Advocate.
For respondent/State	:	Shri Dhiraj K Wankhede, Govt. Advocate.

SB: Hon'ble Shri Justice P. Sam Koshy

Order On Board

30/06/2017

1. The present writ petition has been preferred not against any particular order, but for a direction to the respondent No.2-Collector to decide the case No.01/A-89 (11)/2015-16 (Smt. Parwati Lahre & Another Vs. Smt. Pinky Devi Lahre & Others), a reference which has been filed under Section 21(4) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993, pending before it since 14.07.2016, to be decided at the earliest.
2. Learned counsel appearing for the petitioners submits that it is a case where this court in Writ Petition (C) No.1390 of 2016 and other analogues writ petitions, setting aside the interim order passed by the Collector, directed the Collector to decide the said pending reference at the earliest preferably within a period of two months, but though the said order was passed on 07.04.2017 till date the Collector has not decided the said pending case.
3. This court is reluctant to entertain this writ petition for the simple reason that the relief sought for by the petitioners have already been granted by the co-ordinate Bench of this Court in WPC No.1390 of

2016 and other analogous petitions decided on 07.04.2017. Once there is a direction to decide the pending reference within a stipulated time period, this court, in exercise of its extraordinary writ jurisdiction under Article 226 of the Constitution of India would not entertain another writ petition for the same relief. If at all if the respondent No.2/Collector does not comply with the directives given by this court in an earlier writ petition, the appropriate remedy available to the petitioners would be to avail other remedy under the law and not to file another writ petition seeking for same relief.

4. In view of the same, reserving liberty in favour of the petitioners to avail other statutory remedy available under the law, the present petition is dismissed.

Sd/-
(P.Sam Koshy)
Judge

inder