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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.2202 of 2014**

Shivcharan Pandey, son of late Yogeshwar Pandey, aged about 54 years, Ex-Vice President, the then Janpad Panchayat Kusmi, resident of Kusmi, Police Station Kusmi, District Balrampur-Ramanujganj (CG).

---- Petitioner**Versus**

1.State of Chhattisgarh, through the Secretary, Department of Revenue, Mantralaya, Mahanadi Bhawan, Capital Complex, Naya Raipur, Post Office Rakhi, District Raipur (CG).

2.The Board of Revenue, through its Chairman, Bilaspur, District Bilaspur (CG).

3.The Additional Commissioner, Surguja Division, Ambikapur, District Surguja (CG).

4.The Collector, Surguja, Ambikapur, District Surguja (CG).

5.The Sub-Divisional Officer (Revenue) Kusmi, District Balrampur-Ramanujganj (CG).

6.The Tahsildar, Kusmi, Tahsil Kusmi, District Balrampur-Ramanujganj (CG).

7.Jashwant Kumar Gupta, son of Shri Ramesh Gupta, resident of Main Road, Police Station Kusmi, District Balrampur-Ramanujganj (CG).

8.Nagar Panchayat Kusmi, through the Chief Municipal Officer, Nagar Panchayat Kusmi, District Balrampur-Ramanujganj (CG).

--- Respondents

For Petitioner : Mr. V.K. Pandey, Advocate

For State/Respondents : Mr. Aditya Sharma, Panel Lawyer, Mr. Manoj Paranjpe & Mr. Varunendra Mishra, Advocates

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26/07/2017**

(1) The petitioner has filed this writ petition under Article 226 of the Constitution of India against the order dated 21.02.2014 passed by respondent No.2-Board of Revenue, Bilaspur in Appeal Case

No.A/R/A-68/27/122/2012 (Jaswant Kumar Gupta Vs. State of Chhattisgarh) by which, the respondent No.2 has allowed the appeal filed by respondent No.7 herein and set-aside the orders of the Additional Commissioner, Surguja Division, Ambikapur and the Collector, Surguja.

(2) Learned counsel appearing for the petitioner would submit that though the petitioner herein was not a party before the Board of Revenue, but he is the complainant and on the basis of his complaint the order was passed by respondent No.4 Collector, Surguja which was affirmed by the respondent No.3-the Additional Commissioner, Surguja, which was ultimately set-aside by the Board of Revenue, without giving an opportunity of hearing to the petitioner. He would also submit that he has a *locus standi* as he was the complainant.

(3) I have heard learned counsel for the parties and perused the impugned order with utmost circumspection.

(4) It is a well settled principle of law that in order to maintain a writ petition, the person must have *locus standi*. The petitioner has no *locus standi* to maintain this writ petition as he had made a complaint that has been taken cognizance of and the respondent No.7 has challenged the orders passed against him by the Additional Commissioner, Surguja Division, Ambikapur and the Collector, Surguja before the Board of Revenue, which was ultimately allowed by the Board of Revenue, Bilaspur setting aside the orders of Additional Commissioner, Surguja Division, Ambikapur and the Collector, Surguja, as such the petitioner has no locus to file the writ petition challenging the order of Board of Revenue as he was not party either before Collector, Surguja or Additional Commissioner, Surguja.

(5) Consequently, the writ petition deserves to be and is accordingly dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge