

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 461 of 2018**

1. Pramod Bharat Awasthi S/o Jainarayan Awasthi Aged About 48 Years R/o Village Masturi, Tehsil Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

Appellant**Versus**

1. State of Chhattisgarh Through Collector, Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Sub Divisional Officer (Revenue) Masturi, Tehsil Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. The Tehsildar (Masturi), Tehsil Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Police Station House Officer, Police Station Masturi, Tehsil Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Vinod Sarthi S/o Late Lalji Sarthi, Aged About 42 Years R/o Village Masturi, Tehsil Masturi, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

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For Appellant	:	Shri Kshitij Sharma, Advocate
For Respondents-State	:	Shri Gary Mukhopadhyay, Government Advocate.
For Respondent No.5	:	Shri Amit Kumar, Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Judgment on Board****Per, Ajay Kumar Tripathi, Chief Justice****20.08.2018**

1. Counsel for the Appellant submits that all the Respondents have appeared on the basis of advance copy having been served upon them, especially in relation to Respondent No.5. Respondent No.5 is represented by Shri Amit Kumar, Advocate.
2. In view of the same, I.A. No. 04 of 2018 is allowed. In fact, now there is no requirement for payment of any process fee for service of notice upon the said Respondent.
3. Heard counsel for the parties.

4. Since the learned Single Judge in his order dated 05.12.2017 only allowed the Petitioner who is Respondent No.5 to approach the Collector by filing a representation and he was required to hear the parties and decide the matter, there is nothing to interfere with the said decision.
5. Any subsequent development or decision which may have arisen as a consequence or otherwise of the direction of the learned Single Judge will be a separate cause of action.
6. The writ appeal otherwise stands dismissed.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge