

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPPIL No. 146 of 2017**

1. Shrikant Pandey S/o Jageshwar Pandey aged about 43 Years R/o Anand Nagar Near Uslapur Bridge Bilaspur, District Bilaspur Chhattisgarh.
2. Parvez Quereshi, S/o Mohd. Usman, aged about 30 Years R/o Near Uslapur Bridge, Mangla 'B' Uslapur Railway Over Bridge Mangla Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioners**Versus**

1. State of Chhattisgarh, through the Secretary, Department of Public Works, Mantralaya, Mahanadi Bhawan, New Raipur, Police Station Rakhi, District Raipur Chhattisgarh.
2. Commissioner, Bilaspur Division - Bilaspur, Chhattisgarh
3. Collector, Bilaspur Chhattisgarh.
4. Gram Panchayat, Mangla, through the Secretary Gram Panchayat, Mangla Bilaspur Chhattisgarh.
5. Gram Panchayat, Uslapur, the Secretary, Gram Panchayat, Uslapur District Bilaspur Chhattisgarh.

---- Respondents

For Petitioners	:	Shri B.D. Guru and Shri Aditya Bhardwarj, Advocates
For Respondents	:	Shri Yashwant Singh Thakur, Advocate

Hon'ble Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Judgment on Board****Per Thottathil B. Radhakrishnan, Chief Justice****16.01.2018**

1. We have heard the learned counsel for the Petitioners and the learned Additional Advocate General for the State.
2. The predominant complaint in the writ petition is that the road access to the different residential colonies and apartments mentioned in the writ petition are hindered by the encroachment of the slum dwellers and construction of slum areas (*Gandi Basti*).

3. While the petitioner alleges that the Government land in Khasra No.443 is being encroached upon, thereby depriving the proper utility of land which is meant for construction of road, the learned Additional Advocate General submits that there is access for the residents of the colonies and apartments which are referred to.
4. On the whole we are satisfied that even if the writ petition is treated as a representative action on behalf of the residents, that cannot be treated as a Public Interest Litigation which could be entertained only if it is seeking to address grievances of the people, who by reasons of their social, economic or other backwardness are unable to access the system of justice delivery. We do not see any ground to entertain this writ petition. This matter is hence dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge