

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2292 of 2018**

Tijai Netam, S/o Ajgal Netam, age 72 years, R/o Village Devri (KA) Khapri Post Karhi Tehsil and District Mungeli (C.G.)

----Petitioner.

Versus

1. State of Chhattisgarh, through Secretary, Department of Fisheries, Mantralaya, Mahanadi Bhawan, Naya Raipur (C.G.)
2. Collector, Mungeli, District Mungeli (C.G.)
3. Assistant Director Fisheries, Mungeli Tahsil & District Mungeli (C.G.)
4. Sub Divisional Officer, Mungeli, tahsil & District Mungeli (C.G.)
5. Sarpanch Gram Panchayat Devri (KA), Post Karhi, Tah & District Mungeli (C.G.)

---- Respondents.

For Petitioner	: Shri Saleem Kazi, Advocate.
For State	: Shri Ratan Pusty, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/08/2018

1. Counsel for the petitioner submits that the resolution issued by the Gram Panchayat (Ka), Khapri is bad and unsustainable in law.
2. On the other hand, counsel for the State submits that the Sub Divisional Officer (Revenue) is the Prescribed Authority under Section 85 of the Chhattisgarh Panchayati Raj Adhiniyam, 1993 (for short "Adhiniyam, 1993") to proceed against that resolution and also power to grant stay.
3. I have heard learned counsel appearing for the parties.
4. Be that as it may, the petitioner is at liberty to move before the Sub Divisional Officer (Revenue) under Section 85 of the Adhiniyam, 1993 within a period of 10 days from today for redressal of his grievances, that will be considered and decided by the

S.D.O. (Revenue) expeditiously in accordance with law.

5. With the aforesaid observations, the writ petition stands finally disposed of.

Certified copy, today.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

