

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 973 of 2019**

- Parvati Women Multipurpose Cooperative Society Limited, Bilaro, Block Baikunthpur, District Koriya Chhattisgarh. Through The Chairperson Smt. Neera Bai, W/o Nadhir Singh, Aged About 48 Years, R/o Village Bilaro, Post Office Girjapur, Tahsil Baikunthpur, District - Koriya Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Agriculture (Fisheries) Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. The Secretary, Department of Panchayat And Rural Development Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh.
3. The Collector, District Koriya (Baikunthpur) Chhattisgarh.
4. The Chief Executive Officer, Janpad Panchayat Baikunthpur, District Koriya Chhattisgarh.
5. The Janpad Panchayat Baikunthpur, District Koriya Chhattisgarh, Through The President (Mr. Surya Pratap Singh).
6. Nirmal Self Help Group, Bilaro, Post Office Girjapur, Tahsil Baikunthpur, District Koriya, Chhattisgarh, Through The Chairperson Smt. Manmati, W/o Ravindra, Aged About 40 Years.

---- Respondents

For Petitioner	:-	Shri A.K. Shukla, Advocate
For Respondent-State	:-	Shri Sudeep Verma, Dy. G.A.

Order On Board

By

Hon'ble Shri Prashant Kumar Mishra, J.

19/03/2019

1. This petition has been filed to challenge the resolution of the Gram Panchayat dated 31.01.2019, whereby the respondent Gram Panchayat has resolved to recommend grant of lease of Gangoti Tank in favour of respondent No.6.
2. A perusal of the resolution would not indicate that after rejection of application, any recommendation has been made in favour of the respondent No.6. May be the petitioner has filed incomplete papers.
3. Be that as it may, even if the Gram Panchayat has resolved to recommend grant of lease of fishing rights of Gangoti Tank in favour of respondent No.6, the petitioner has remedy of filing an appeal before the Collector, after execution of the lease.
4. The petitioner appears to have filed a representation (Annexure P-7) before the Collector, Koriya which is not maintainable because as per the learned counsel appearing for the State, in the event of grant of lease of fishing rights to an individual or society or Self Help group, the aggrieved party has a remedy of filing of appeal before the Collector.

5. In view of the fact that, the petitioner has not filed any proof to establish the fact that the lease has been executed in favour of the respondent No.6, the Writ Petition is disposed of with observation that in the event of grant of lease in favour of the respondent No.6, the petitioner would be at liberty to prefer a duly constituted appeal before the concerned Collector.
6. With the aforesaid observation, the Writ Petition stands disposed of.

Sd/-

(Prashant Kumar Mishra)
Judge

Ayushi