

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2352 of 2019**

Vijay Upadhyay S/o Late Shri Bhagwat Prasad Upadhyay Aged About 60 Years R/o Village- Tendua, Tahsil-Navagarh, District- Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Panchayat, Rural Development Department, Mahanadi Bhavan, New Raipur, District- Raipur, Chhattisgarh
2. Sub Divisional Magistrate, Navagarh, District- Bemetara, Chhattisgarh, District : Bemetara, Chhattisgarh
3. Collector, Bemetara,district- Bemetara, Chhattisgarh
4. Devendra Verma S/o Shri Vikram Singh Aged About 39 Years Panch Ward No. 4, Gram Panchayat Tendua
5. Ramsingh Verma S/o Chinta Ram Aged About 51 Years Panch Ward No. 12, Gram Panchayat Tendua
6. Kanahiya Sahu S/o Phuluram Aged About 50 Years Panch Ward No. 10, Gram Panchayat Tendua
7. Ajit Sahu S/o Mohan Sahu Aged About 48 Years Panch Ward No. 5, Gram Panchayat Tendua,

Respondent No. 4 to 7, R/o Village- Tendua, Tahsil- Navagarh, District- Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Soumitra Kesharwani, Advocate
For Respondent/State	:	Shri Anand Verma, Dy. Government Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****12/07/2019**

1. Heard
2. The present petition is filed seeking following reliefs:

10.1 That, this Hon'ble Court may kindly be pleased to direct the respondent No.2 (S.D.M) to pass final order in the Revenue case No. 2-A-89/2018-2019 within reasonable period of one month.

10.2 That, any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioner in the interest of justice along with cost of the petition.

3. Learned counsel for the petitioner submits that a complaint was made against Respondents No. 4 to 7 under Section 40 of the Chhattishgarh Panchayat Raj Adhiniyam, 1993 as they have allotted the burial ground to seven persons after taking amount of Rs. 40,000/-, therefore, though the Act contemplates that hearing should be completed within a period of 90 days, the same is not done.
4. Perused the document.
5. Perusal of the documents shows that application under Section 40 of the Chhattishgarh Panchayat Raj Adhiniyam, 1993 was filed on 25.01.2019 against Respondents No. 4 to 7, which is pending before the SDM, Navagarh, District Bemetara.
6. Without any observation on the merit of the case, it is directed that the SDM shall expedite the hearing of the case and shall decide the same in accordance with the law, as early as possible.
7. With the above observation, the petition stand disposed of.

Sd/-
Goutam Bhaduri
Judge

