

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 3435 of 2019**

1. Gram Panchayat Saradhu, Nawagaon, Vikas Khand Charama, District Uttar Bastar Kanker CG through its Sarpanch Shrimati Duleshwari Teta aged about 28 years wife of Balram Teta Sarpanch Gram Panchayat Saradhu Nawagaon Tehsil Charama District Uttar Bastar Kanker CG R/o Saradhu Nawagaon Tehsil Charama District Uttar Bastar Kanker CG.
2. Gram Panchayat Kariha Janpad Panchayat Charama District Uttar Bastar Kanker CG through its Sarpanch Shivprasad Vatti aged about 52 years S/o Late Kaculram Vatti Sarpanch Gram Panchayat Kariya Janpad Panchayat Charama District Uttar Bastar Kanker CG R/o Kariya Tehsil Charama District Uttar Bastar Kanker CG.

---- Petitioners**Versus**

1. State of Chhattisgarh through the Secretary Mineral Resource Department Mahanadi Bhawan Atal Nagar Raipur CG.
2. Collector (Mining Branch) District Uttar Bastar Kanker CG.
3. Chhattisgarh State Environmental Impact Assessment Authority through the Secretary Paryavas Bhawan Section 19 Atal Nagar District Raipur CG.
4. District Level Environment Impact Assessment Authority Kanker through the Collector District Uttar Bastar Kanker CG.
5. Union of India through Secretary Ministry of Environment Forest and Climate Change Indira Paryavaran Bhawan Jorbagh Road, New Delhi.

---- Respondents

For Petitioners : Shri Shobhit Koshta, Advocate.

For Respondent/State: Shri Vikram Sharma, Deputy Government Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****P. R. Ramachandra Menon, Chief Justice****15.10.2019**

1. The Petitioner has moved this Court with the following prayers :-

“10.1) This Hon'ble Court may kindly be pleased to issue appropriate writ and quash the impugned notice inviting tender/ auction dated

19/08/19 (Annexure P-6) in the interest of Justice.

10.2) This Hon'ble Court may kindly be pleased to issue appropriate writ and direct the State Government to hand over the duty of action and other incidental matter relating to mining of sand to the respective gram panchayat in accordance with the rules.

10.3) This Hon'ble Court may kindly be pleased to call for the entire records leading to the instant case, for kind perusal of this Hon'ble Court.

10.4) Any other relief which this Hon'ble Court deem fit and proper may also kindly be granted to the petitioners in the interest of justice along with cost of the petition.”

2. When the matter is taken up for consideration, the learned counsel for the State submits that the tender under challenge has been withdrawn and that a fresh tender has been issued on 04.10.2019, a copy of which has been placed on record as Annexure D/2.
3. The learned counsel for the Petitioner seeks for permission to withdraw the petition with liberty to file fresh petition challenging the fresh tender as aforesaid.
4. Permission is granted.
5. The writ petition is dismissed as withdrawn with liberty as aforesaid.

Sd/-

(P.R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge