

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 3382 of 2019**

- Foolpati W/o Shri Bihari Markam Aged About 50 Years R/o Sarpanch Gram Panchayat Tarkeshwarpur, Post – Salwahi, Police Station Sanavar, District-Balrampur, Chhattisgarh.

---- Petitioner

Versus

1. The State of Chhattisgarh Through Secretary, KhanijSadhanVibhag, Mahanadi Bhawan, Atal Nagar, Dist. Raipur, Chhattisgarh.
2. Chhattisgarh State Environmental Impact Assessment Authority, District : Raipur, Chhattisgarh
3. State of Chhattisgarh Through The Collector, Balarampur, District Balarampur-Ramanujganj, Chhattisgarh
4. Sub Divisional Officer (Revenue) Balarampur, District Balarampur-Ramanujganj, Chhattisgarh.
5. State of Chhattisgarh Through Mining Officer, Balarampur, District Balarampur-Ramanujganj, Chhattisgarh.
6. State of Chhattisgarh Through Tehsildar, Ramanujganj, District Balarampur-Ramanujganj, Chhattisgarh.
7. Chief Executive Officer Jila Panchayat, Balarampur, District- Balarampur -Ramanujganj, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Harshwardhan Parganiha, Advocate.
For Respondents/State	:	Shri Vikram Sharma, Deputy Government Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice**Hon'ble Shri Justice Parth Prateem Sahu, Judge****Order on Board****Per P. R. Ramachandra Menon, Chief Justice****23.09.2019**

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

“10.1. That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or

likewise any other appropriate writ, order or commands, commanding and directing the respondents to place the complete record related with the case of the petitioner for just and proper decision of the case.

10.2 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, order or commands, commanding and directing the respondents to quash the Tender No. **Balrampur-01-21-08-2019** for leasing of the sand quarry at District Balrampur, Ramanujganj, C.G.

10.3 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, order or commands, commanding and directing the respondents to issue and frame proper guidelines for the consultation of the concerned Gram Panchayat / Sabha wherever lease for mining under Chhattisgarh Minor Ordinary Sand (Quarrying and Trade) Rules, 2019 is granted.

10.4 That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, order or commands, commanding and directing the respondents direct all the legal action against the person who have not discharge their responsibility as per the provisions and requirements of the law of the land.

10.5 That, this Hon'ble Court may also be pleased to issue That, this Hon'ble Court may be kind enough in issuing a writ in the nature of mandamus, certiorari or likewise any other appropriate writ, order or commands, commanding and directing the respondent state to not issue letter of interest with regards to Tender No. **Balrampur-01-21-08-2019**.

10.6 Any other relief, That, this Hon'ble Court may be kind enough in issuing a writ in the nature of

mandamus, certiorari or likewise any other appropriate writ, order or commands, commanding and directing the respondents which the Hon'ble Court deems fit and proper looking to the facts and circumstances of the case, may also be granted.”

2. Shri Vikram Sharma, the learned counsel representing the State points out that the Petitioner has no *locus standi* insofar as the petition is not styled as a public interest litigation. None of the personal rights of the Petitioner is affected, insofar as he is the 'Sarpanch' of the Gram Panchayat Tarkeshwarpur, Post – Salwahi, Police Station Sanavar, District- Balrampur, Chhattisgarh, who has not participated in the tender proceedings.
3. The learned counsel for the Petitioner seeks for permission to withdraw the petition without prejudice the rights and liberties to pursue other appropriate proceedings in accordance with law.
4. Permission is granted. This petition is stands dismissed as withdrawn.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge