

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 667 of 2018

1. Kulwant, S/o. Shri Ram Das, Aged About 40 Years, R/o. Village Ghotiya, Tahsil Dondi, Police Station Dondi, District Balod Chhattisgarh.
2. Tej Prakash, S/o. Nanak Das, Aged About 42 Years, R/o. Village Ghotiya, Tahsil Dondi, Police Station Dondi, District Balod Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through : Secretary Department Of Home Mantralaya Mahanadi Bhawan Raipur Chhattisgarh.
2. Collector, District Balod Chhattisgarh.
3. Superintendent Of Police, District Balod Chhattisgarh.
4. Station House Officer, Police Station Dondi, District Balod Chhattisgarh.
5. Smt. Mamta Mandavi, W/o. Yugal Kishor Mandavi, Aged About 36 Years, Sarpanch Gram Panchayat Ghotiya, R/o. Village Ghotiya, Police Station Dondi, District Balod, Chhattisgarh.
6. Salik Ram, S/o. Thakur Ram, Aged About 55 Years, Up Sarpanch, Gram Panchayat Ghotiya, R/o. Village Ghotiya, Police Station -Dondi, District Balod Chhattisgarh.
7. Bhoj Kumar Sahu, S/o. Soman Lal Sahu, Gram Panchayat Ghotiya, R/o. Ghotiya Police Station Dondi, District Balod Chhattisgarh.
8. Mahendra Kumar Dhorendra, Aged About 30 Years, Gram Panchayat Ghotiya, R/o. Ghotiya Police Station Dondi, District Balod Chhattisgarh.
9. Tikeshwar Sahu, S/o. Domal Sahu Aged About 49 Years, Gram Panchayat Ghotiya, R/o. Ghotiya Police Station Dondi, District Balod Chhattisgarh.

-----Respondent

For Petitioners	: Mr. Rahil Arun Kochar, Advocate
For Respondent/State	: Mr. Neeraj Pradhan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/09/2019

1. The instant petition under Article 226 of Constitution of India has been filed for issuance of appropriate direction for lodging of FIR against the accused persons.
2. It is submitted by the learned counsel for the petitioners that the petitioners have made various complaint to the respondent No.1, 2 & 3 regarding the financial irregularities committed by the Gram Panchayat Ghotiya and excessive mining of sand by the various persons concerned. Copy of the complaint given are filed as Annexure P-1 to P-8, but the concerned authorities have not made any enquiry in the same. Therefore, it is prayed that the enquiry be ordered.
3. Learned counsel for the State/respondents opposes the submissions made and the grounds raised in the petition. It is submitted that the petitioners have option to move application under Section 156 (3) of Cr.P.C., therefore, the petition be rejected..
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. After considering the submissions made by the counsel for the petitioners and the State counsel appearing for the respondent No.1 to 4 and also perused the copy of the complaint filed by the petitioners regarding financial irregularities committed by the Gram Panchayat

Ghotiya and also regarding the illegal mining being done from the sand quarries. As the grievances of the petitioners is that the respondents authorities are not taking any action or making any enquiry, therefore, I feel inclined to dispose of this petition with direction.

6. Accordingly, the petition is disposed off. The respondent No.2, 3 & 4 are directed to enquire into the complaint filed by the petitioners and do the needful in accordance with law.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram