

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPIL No. 98 of 2019**

- Murlidhar Pradhan S/o Dukhu Pradhan aged about 62 Years Village- Nadigaon, Tahsil- Barmkela, District Raigarh, Chhattisgarh.

----Petitioner**VERSUS**

1. State of Chhattisgarh through The Secretary, Revenue Department, D.K.S. Bhawan, Raipur C.G.
2. District Collector, Collectorate, Raigarh C.G.
3. Sub Divisional Officer, Revenue, Tahsil Sarangarh, Distt. Raigarh C.G.

-----Respondents

For Petitioner	:	Mr. Amit Sharma, Advocate
For Respondent-State	:	Mr. Vikram Sharma, Dy.G.A.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice**Hon'ble Shri Parth Prateem Sahu, Judge****Order on Board****Per P.R. Ramachandra Menon, C.J.****25/11/2019**

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

“That this Hon'ble Court be pleased :-

10.1 To accept the instant writ as a public interest petition and order to remove encroachment over the children play ground.

10.2 To award the cost and expenses of this petition.

10.3 To issue any other writ or direction or orders in favor of the petitioner and against the respondents upon these facts and in the circumstances of the case in the interest of justice and equity.”

2. Heard learned counsel for the petitioner as well as learned Deputy Government Advocate representing the State.

3. The grievance of the petitioner is that, massive encroachment has been made to a public property, pursuant to which a complaint has been preferred before the competent authority and on enquiry, the encroachment has been proved by way of Annexure P/2, despite which no further/ consequential action has been taken to abate the encroachment. It is pointed out that the petitioner has already moved the 2nd respondent/ District Collector by filing Annexure P/3 representation. The learned counsel submits that the grievance of the petitioner will stand redressed for the time being, if a direction is given to 2nd respondent/Collector to finalize the matter within a reasonable time.
4. In view of the above circumstances, we do not intend to examine the merit involved and direct the 2nd respondent/Collector to consider and pass an appropriate order on Annexure P/3 in accordance with law and of course after affording an opportunity of hearing to the petitioner and the interested parties, if any. This exercise shall be completed as expeditiously as possible, at any rate, within 3 months from the date of receipt a copy of this judgment. The petitioner is required to produce a copy of the judgment along with a copy of the writ petition before the 2nd respondent/District Collector for further steps.
5. With the above observation, the writ petition is disposed of accordingly.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge