

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 763 of 2020**

1. Ramkhilawan S/o Late Shri Nanh, Aged About 70 Years, By Caste Gond, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan, Chhattisgarh
2. Suraj Dev S/o Shri Mahajan, Aged About 43 Years, By Caste Agariya, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan, Chhattisgarh
3. Bandhu S/o Late Shri Vishuni, Aged About 75 Years, By Caste Sundi, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan Chhattisgarh
4. Parmeshwar S/o Late Shri Fajihat, Aged About 60 Years, By Caste Agariya, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan Chhattisgarh
5. Anup S/o Shri Satyanarayan, Aged About 36 Years, By Caste Sundi, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan Chhattisgarh
6. Gokul S/o Shri Shivprasad, Aged About 45 Years, By Caste Sundi, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan Chhattisgarh
7. Santosh S/o Shri Kishuni, Aged About 52 Years, By Caste Sundi, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan Chhattisgarh
8. Kameshwar S/o Shri Sukhandi, Aged About 38 Years, By Caste Sundi, R/o Village Kachhiya, Post Chalgali, Tahsil Wadraf Nagar, District Balrampur Ramanujan, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, Nawa Raipur, Chhattisgarh
2. The Collector Balrampur, District Balrampur Ramanujganj, Chhattisgarh
3. The Chief Executive Officer, Zila Panchayat, District Balrampur Ramanujganj, Chhattisgarh
4. The Gram Panchayat, Dhadhiya Through The Sarpanch, Gram Panchayat, Dhadhiya, Tahsil Wadraf Nagar, District Balrampur Ramanujganj Chhattisgarh
5. The Gram Panchayat Kachhiya Through The Sarpanch, Gram Panchayat, Kachhiya, Tahsil Wadraf Nagar, District Balrampur Ramanujganj, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rahul Mishra, Advocate
For State	:	Mr. Shubham Verma, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

27.02.2020

1. The case of the petitioners is that the petitioners are all villagers of village Kachhiya and they are residing in the said village for last more than 5 decades. They have also constructed their small hutments in which they are residing since ages. According to the petitioners, their grievance has now arisen with the proposal of the respondents 4 & 5 for construction of a "Gothan" under the Narwa, Garuwa, Ghurwa Badi programme for village Panchayat Dhadhiya. The grievance of the petitioners is that though the programme is for village Panchayat

Dhadhiya, the construction of Gothan is being made in the area which falls under village Kachhiya.

2. Counsel for the petitioner submits that there is sufficient vacant land available in both these villages where the respondents could have easily constructed the Gothan instead of directing the petitioners to vacate the premises where they are residing for more than 5 decades.
3. Considering the aforesaid submission that the petitioners have made, let the petitioners approach the respondents 2 & 3 in this regard by making a suitable representation within a period of 15 days from today and the respondents 2 & 3 shall consider the grievance of the petitioners which includes setting up of the "Gothan" at an alternative place without disturbing the petitioners' premises, at the earliest preferably within a further period of 45 days from the date of receipt of representation of the petitioners.
4. Till a decision on the representation of the petitioners is taken, the respondents shall not initiate any coercive step for removing the petitioners from their present place of settlement.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
P. Sam Koshy
Judge