

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 51 of 2020**

1. Manoj Pandey S/o Shri Deo Prasad Pandey, aged about 39 years, Parsad of Ward No. 07, Nagar Panchayat Pathariya, District Mungeli (C.G.), R/o Ward No. 07, Nagar Panchayat Pathariya, District Mungeli (C.G.)
2. Janakram Yadav, S/o Late Shri Dularwa Yadav, aged about 55 years, R/o Ward No. 15, Nagar Panchayat Pathariya, District Mungeli (C.G.)
3. Mahesh Nirmalkar, S/o Shri Bharatlal, aged about 56 years, R/o Ward No. 09, Nagar Panchayat Pathariya, District Mungeli (C.G.)

---- Petitioners**Versus**

1. Union of India Through Secretary, Ministry of Housing and Urban Affairs, Pradhan Mantri Awas Yojna (Urban), Nirman Bhawan, New Delhi 110011
2. State of Chhattisgarh Through Secretary, Urban Administration and Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh.
3. Collector, Mungeli, District Mungeli, Chhattisgarh.
4. Sub Divisional Officer (Revenue), Pathariya, District Mungeli, Chhattisgarh.
5. Chief Municipal Officer, Nagar Panchayat Pathariya, District Mungeli (C.G.)

---- Respondents

For Petitioners	:	Ms. Meena Shastri, Advocate.
For Respondent No.1	:	Shri Himanshi Pandey, Advcoate appears on behalf of Shri B. Gopa Kumar, Assistant Solicitor General.
For Respondent/State	:	Shri Sudeep Agrawal, Deputy Advocate General.

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**12.06.2020**

1. The Petitioners have moved this Court by filing the writ petition as a 'Public Interest Litigation'. The 1st Petitioner is an elected ward member of Nagar Panchayat and the other two Petitioners are the residents of the locality. The prayer is mainly to direct the Respondents to assure strict compliance of the Scheme 'Pradhanmantri Awas Yojana' and to allot the entire amounts to

construct the houses of the aggrieved persons (needy resident of Nagar Panchayat, Pathariya, District Mungeli (C.G.)). There is also another prayer to issue a direction to provide well equipped accommodation to the aggrieved persons under the Scheme.

2. Heard Ms. Meena Shastri, the learned counsel appearing for the Petitioners, Shri Himanshu Pandey, the learned counsel representing the Union of India and Shri Sudeep Agrawal, the learned Deputy Advocate General representing the State.
3. During the course of hearing, it is brought to the notice of this Court that the grievance of the Petitioners has already been projected and brought to the notice to the 3rd Respondent/Collector by way of representation. The learned counsel for the Petitioners submits that the Petitioners would be satisfied, if a direction is given to the 3rd Respondent/Collector to consider Annexure P/7 and to have it finalized after affording an opportunity of hearing to any of the Petitioners. In the said circumstance, we do not find it necessary to go into the merits of the case.
4. The writ petition is disposed off, directing the 3rd Respondent/Collector to consider the Annexure P/7 and pass the appropriate orders in accordance with law, after affording an opportunity of hearing to the 1st Petitioner who is a ward member and other interested parties, if any. The proceedings shall be finalized as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this judgment. The Petitioners are required to produce a copy of judgment alongwith a copy of the writ petition before the 3rd Respondent/Collector for further steps.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge