

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1138 of 2020**

Gyaneshwar Kumar Agrawal S/o Late Sukdev Narayan Agrawal, Aged About 65 Years R/o. Maharani Chowk, K.K. Ward Bhatapara, District Balodabazar Bhatapara Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh, Through Secretary, Mines And Mineral Department, Mantralaya, Atal Nagar, Raipur, Tahsil And District Raipur Chhattisgarh
2. State Of Chhattisgarh, Through Secretary, Department Of Revenue, Mantralaya, Atal Nagar, Raipur, Tahsil And District Raipur Chhattisgarh.
3. State Of Chhattisgarh, Through Secretary, Home And Police Department, Mantralaya, Atal Nagar, Raipur, Tahsil And District Raipur Chhattisgarh
4. Collector, District Balodabazar Bhatapara Chhattisgarh
5. Mining Officer, District Balodabazar Bhatapara Chhattisgarh
6. Station House Officer (Rural) Police Station Bhatapara, District Balodabazar Bhatapara Chhattisgarh
7. Superintendent Of Police, District Balodabazar Bhatapara Chhattisgarh
8. Tahsildar, Bhatapara, District Balodabazar Bhatapara, Chhattisgarh
9. Chandu Lal Sahu, S/o Late Janakram Sahu, Aged About 50 Years R/o Tarenga, Police Station And Tahsil Bhatapara, District Balodabazar Bhatapara Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ratnesh Kumar Agrawal, Advocate
For State	:	Mr. V. R. Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****11/06/2020**

1. The limited relief that the petitioner has sought for in the present writ petition is for an appropriate direction to the respondents No.4 & 5 in respect of an alleged illegal activity carried out by the respondent No.9.
2. According to the petitioner, the respondent No.9 is carrying out certain illegal mining in village Tarenga, Tehsil Bhatapara, District Balodabazar-

Bhatapara over the land situated at khasra No. 681 in Patwari Halka No. 1/26, which as per the records is a Nala/River. According to the petitioner on account of the illegal mining carried out by the respondent No.9 the flow of the Nala itself is getting deviated and the property of the petitioner beside the Nala can get greatly damaged during the Mansoon Season.

3. The limited prayer that the petitioner has sought for is for a direction to the respondent No.5 to ensure that there is no illegal mining carried out by the respondent No.9 at the aforesaid khasra number and secondly to ensure that the respondent no.4 takes appropriate steps and action against the respondent No.9 in respect of the deviating of the route/flow of the Nala/River.
4. The aforesaid limited relief is not opposed by the learned Additional Advocate General.
5. Accordingly, the writ petition stands disposed of granting liberty to the petitioner to file a detailed representation in addition to that he has already made to the respondents No.4 & 5 in respect of his grievances. The respondents No.4 & 5 in turn are expected to take prompt action on the said representation preferably within a period of 45 days from the time the petitioner files his fresh representation.
6. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge