

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1157 of 2020

1. Adivasi Vikas Navyuvak Mandal, Through Its President Narottam Kanwar, S/o Ramji Kanwar, Aged About 54 Years, R/o Village Maargaon, Block Dongargaon, District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Department Of Agriculture And Cooperative, D.K.S. Bhawan, Mantralaya, New Raipur, District : Raipur, Chhattisgarh
2. Collector, District : Rajnandgaon, Chhattisgarh
3. Sub Divisional Officer (Revenue), Dongargaon, District : Rajnandgaon, Chhattisgarh
4. Assistant Director, Department of Fisheries, District : Rajnandgaon, Chhattisgarh
5. Shri Radhakrishna Machua Sahakari Samiti Through Its President Tukaram, Nishad, S/o Makhanram Nishad, Tolagaon Tehsil Dongargaon, District : Rajnandgaon, Chhattisgarh
6. Sarpanch, Gram Panchayat Maargaon, Janpad Panchayat Dongargaon, District : Rajnandgaon, Chhattisgarh

-----Respondents

For Petitioner	: Mr. Basant Dewangan, Advocate
For State	: Smt. Sunita Jain, Govt. Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12.06.2020

1. The present writ petition has been preferred challenging the order Annexure P-1 dated 28.08.2019 passed by the Sarpanch, Gram Panchayat: Maargaon ie., Respondent No. 6.
2. Perusal of record would show that against the order of the Respondent No. 6, the petitioner had approached the Assistant

Director Fisheries, who has rejected his application against the order of the Assistant Commissioner. The petitioner had again preferred an appeal before the Collector, who too has rejected the appeal.

3. During the course of hearing, it has been revealed that against the order of the Collector, the petitioner had already preferred a revision before the Commissioner and along with the revision, he has also moved an application for stay. In view of the fact that the petitioner had already approached the Commissioner by way of a revision and also for grant of interim relief, which is pending till now, this Court is of the opinion that the present writ petition at this juncture, in the given facts would not be maintainable as the petitioner cannot simultaneously challenge an order before two forums.
4. Reserving the right of the petitioner to pursue the remedy that he has already preferred by way of a revision before the Commissioner, the present writ petition stands disposed off. However, it is expected that the Commissioner shall take a decision on the revision, at the earliest.

**Sd/-
(P. Sam Koshy)
Judge**