

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP(C) No. 1367 of 2020**

1. Pradeep Sahu S/o Shri Harakhram Sahu Aged About 39 Years R/o Imalibhanta Mahasamund Tahsil And District - Mahasamund Chhattisgarh.
2. Anil Chandrakar S/o Shri Pokhanlal Chandrakar Aged About 52 Years R/o Gudrupara Mahasamund Tahsil And District - Mahasamund Chhattisgarh.
3. Sanjay Rai S/o Shri R. M. S. Rai Aged About 52 Years R/o Devendra Nagar Raipur Tahsil And District - Raipur Chhattisgarh
4. Ishwar Sinha S/o Shri Sadaram Sinha Aged About 37 Years R/o Daldali Road Mahasamund Tahsil And District - Mahasamund Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Department Of Panchayat, Mahanadi Bhawan, Mantralaya, Nawa Raipur, District Raipur Chhattisgarh.
2. The Collector District - Mahasamund Chhattisgarh.
3. The Chief Executive Officer, Zilla Panchayat Mahasamund District - Mahasamund Chhattisgarh.
4. Village Panchayat Belsonda Through Its Sarpanch, Tahsil And District Mahasamund Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Jitendra Nath Nande Advocate.
For State	:	Mr. Jitendra Pali, Dy. A.G. for the State.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/08/2020**

1. The grievance of the petitioners in the present writ petition seems to be the construction of a community cattle shelter (Gothan) situated in Khasra Nos. 1664, 1665 and 1666 village Panchayat Belsonda, District Mahasamund.
2. The grievance of the petitioners primarily is that if the entire land of the said Khasra Number is used by the respondents for construction of the cattle shelter, then the right to approach to the petitioners' property would be deprived as it is a Government grass land which the petitioner and other similarly placed persons in the surrounding were using as the pathway towards their properties.

3. Counsel for the petitioners submits that his only prayer as of now is that let the respondent consider providing some pathway to the petitioners to approach for their properties, which may get blocked on the construction of cattle shelter. For this the petitioners have already made representation to the respondent No. 2 and the limited prayer that the petitioners want is that let the respondent No. 2 take a decision on the said application sympathetically at the earliest.
4. To the limited prayer that the petitioners have made, is not opposed by the learned State Counsel.
5. Accordingly, the writ petition is disposed of directing the respondent No. 2 to take a decision on the representation which the petitioners have made, the petitioners in addition would also be entitled to make further fresh representation, if they so want justifying their claim. Let the respondent No. 2 take a decision at the earliest within an outer limit of 60 days from days. The respondent no.2 shall also consider granting some pathway to the petitioners so that the petitioner can have a right to way to his property. Meanwhile, the respondents are expected of providing easy access to the petitioner to their properties.
6. With the aforesaid observations/direction, the writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha