

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPIL No. 66 of 2020**

1. Balkrishna Koushik S/o Srawan Kouhik Aged About 27 Years Resident of Village Bartori, Police Station Bilha, District Bilaspur, Chhattisgarh.
2. Chandrakant Jaiswal S/o Suresh Jaiswal Aged About 24 Years Resident of Village Nayapara Chakarbhatta, Police Station Chakarbhatta, District-Bilaspur, Chhattisgarh.

**---- Petitioners****Versus**

1. State of Chhattisgarh Through The Chief Secretary, Government of Chhattisgarh New Raipur, District Raipur, Chhattisgarh.
2. The Secretary Revenue and Disaster Management Department Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
3. The Collector Bilaspur, District- Bilaspur, Chhattisgarh.

**-----Respondents**


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For the petitioners : Ms. Sareena Khan, Advocate.

For the respondent : Shri SC Verma, Advocate General with Shri Vikram Sharma, Dy. GA.

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**Hon'ble Shri PR Ramachandra Menon, Chief Justice &****Hon'ble Shri Justice Parth Prateem Sahu****Order on Board****Per PR Ramachandra Menon, CJ****10.08.2020**

1. This writ petition filed as "Public Interest Litigation", projecting the grievance with regard to the alleged allotment of Government land to various private individuals without any regard to the rule of law, seeks for the following reliefs :-

"10.1. That this Hon'ble court may kindly be pleased to call for the entire records pertaining to the case of petitioners.

10.2 That, this Hon'ble Court may kindly be pleased to issue a writ for in view of the facts and grounds allegedly mentioned in the petition filed before this Hon'ble Court, the

petitioners humbly pray that the circular issued by the state government dated 19.09.2019 **(ANEEEXURE P-1)** be declared as ultra virus and such circular be quashed, in the interest of justice.

10.3 That, this Hon'ble Court may kindly be pleased to issue a writ for quashing the order dated 11.09.2019 **(ANNEXURE P-2)** regarding allotment of patta for the encroach land is also not proper and contrary to the public nuisances and on account of misuse of power the same may be ordered to be quashed.

10.4 That, this Hon'ble Court may kindly be pleased to issue a writ for the petitioners also humbly submits that the circular of the respondent no. 2 dated 08.06.2020 **(ANNEXURE P-3)** be order to be quashed, in the interest of justice.

10.5 That, this Hon'ble Court may kindly be pleased to issue and appropriate writ for the urban area in the interest of environment, planting trees on open lands without allotment of the land in this manner.

10.5 That, this Hon'ble Court may kindly be pleased to grant any other relief, as if may deem fit.”

2. When the matter is taken up for consideration, Ms. Sareena Khan, learned counsel appearing on behalf of the petitioners submits that another writ petition bearing (WPPIL No.60/2020) involving similar grievance is already pending before this Court. According to us, since another writ petition is admittedly pending before this Court as a “Public Interest Litigation” in relation to the same grievance/cause of action, it does not require filing of more and more Public Interest Litigations of similar nature in respect of the same subject matter.
3. On putting forth the position as above, the learned counsel for the petitioners seeks for permission to withdraw this writ petition with liberty to

file appropriate proceedings in the pending PIL, so as to get an opportunity of hearing.

4. Accordingly, permission sought for as above is granted. WPPIL stands dismissed as withdrawn; without prejudice to the rights and liberties as above.

**Sd/-**

**(P. R. Ramachandra Menon )**  
Chief Justice

**Sd/-**

**(Parth Prateem Sahu)**  
Judge