

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1725 of 2020**

1. Sunita Painkra W/o Bhadar Painkra, Aged About 50 Years R/o Village Ghoghra, Police Station Bagbahar, Police Chowki Kotba, District Jashpur Chhattisgarh,

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhawan, Mantralaya, New Raipur Chhattisgarh,
2. The Deputy Director, Panchayat, District Jashpur Chhattisgarh,
3. The Collector, Jashpur, District Jashpur Chhattisgarh,
4. The Chief Executive Officer, Zila Panchayat, Jashpur, District Jashpur Chhattisgarh,
5. The Chief Executive Officer, Janpad Panchayat, Pathalgaon, District Jashpur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. J. K. Saxena, Adv.
For State	:	Mr. Mateen Siddiqui, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

27/08/2020

1. The grievance of the petitioner in the present writ petition seems to be the site at which the respondent No. 5 has sanctioned the permission for the construction of Panchayat Bhawan for the Gram Panchayat, Ghoghra Tahsil Patthalgaon, District Jashpur.
2. The facts of the case is that the petitioner is a Sarpanch of Gram Panchayat, Ghoghra. There was a long standing demand of the villagers to have a Panchayat Bhawan for the Gram Panchayat and for which the Villagers have been approaching the local administration. Vide Annexure P/4 dated 18.06.2020, the Dy. Director, Panchayat District Jashpur had granted sanction and permission for the construction of Panchayat Bhawan. Subsequently, Annexure P/1 has been issued by the respondent No. 5 allotting Khasra No. 68/2/A for the construction to be made on the said plot/site.

3. The grievance of the petitioner here is that the said site allotted by the respondent No. 5 is quite far, rather at an extreme end of village, the villagers would find it difficult to have an easy access to. According to the counsel for the petitioner all villagers had initially proposed a construction of the Panchayat Bhawan at the property which situates at Khasra No. 225/2.
4. Since the dispute in the present writ petition is only that of the site at which the construction is being made, it would be more appropriate, if the writ petition is disposed-of at this stage directing the petitioner to approach respondents No. 3 & 4 and apprise them for change of the site from Khasra No. 68/2/A to 225/2. The petitioner would also be at liberty to approach the respondent No. 5 apprising him of the ground realities and for seeking a review of the order Annexure P/5 for change of site.
5. Subject to the petitioner approaching the respondent No. 3 to 5 in this regard, it is expected, they shall take into consideration the grievance of the petitioner and shall objectively decide the same taking into consideration the feasibility of both the sites. This Court has not expressed any opinion on the merits of the case and the authorities are expected to take a decision purely in accordance with law.
6. The writ petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha