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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2359 of 2020**

1. Lakhan S/o Visali, Aged About 68 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh
2. Sanat S/o Visali, Aged About 60 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh
3. Malik S/o Amrit Lal, Aged About 65 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh
4. Siv Prasad S/o Anjor Das, Aged About 60 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh
5. Mohan S/o Anjor Das, Aged About 65 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli Chhattisgarh
6. Punnu Das S/o Dhirpal, Aged About 60 Years, R/o Village Pathartal, Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Secretary Of The Revenue Department, Capital Complex, Mahanadi Bhawan, Atal Nagar Raipur, District Raipur, Chhattisgarh
2. Commissioner, Bilaspur Division Bilaspur, District Bilaspur, Chhattisgarh
3. The Collector Mungeli, District Mungeli, Chhattisgarh
4. The Nayab Tahsildar Samri (Kusmi), District Balrampur Ramanujanj, Chhattisgarh
5. Chief Education Officer, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh
6. Gram Panchayat Savantpur Through The Secretary Of Gram Panchayat Savantpur, P.S. Lalpur, District Mungeli, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Vikas Pandey, Advocate
For State	:	Mr. Vivek Ranjan Tiwari, Addl. A.G.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

14.10.2020

1. The grievance of the petitioners in the present writ petition is the action on the part of the respondent no.6 who has passed a resolution for establishment of a community cattle shelter (Gauthan) at the property which is in possession of the petitioners for the last more than 20-25 years.
2. According to the petitioners, they have been dully issued with Patta for the said land and now the respondent no.6 has passed a resolution for establishment of a Community Cattle Shelter (Gauthan) at the said property thereby the petitioners would have to vacate the said property where they have also constructed their dwelling house.
3. Counsel for the petitioners submits that the petitioners have already moved a representation before the respondents 2 to 5 in this regard but no decision has been taken till date.
4. Given the limited grievance that the petitioners have and also taking into consideration the nature of dispute, this Court is of the opinion that since it is a case where the respondents intend to establish a community cattle shelter (Gauthan), ends of justice would meet if the petitioners are directed to file a fresh representation to the respondent no.3 in respect of their grievances and the respondent no.3 in turn would scrutinize the same and try to explore the possibility of granting a separate location or site for establishment of community cattle shelter (Gauthan) by which the interest of both the parties can be protected

inasmuch as the cattle shelter can also be established and the petitioners' dwelling house and properties which are in their possession would not get disturbed. The respondent no.2 is expected to take a decision at the earliest.

5. Let a fresh representation be made by the petitioners within a period of 10 days from today and on receipt of the said representation, the respondent no.3 is expected to take a decision at the earliest. Meanwhile, the respondents are directed not to take any coercive steps against the petitioners for vacating or evicting from the said property till the Collector takes a decision on their representation.
6. With the aforesaid observation, the writ petition stands disposed of.

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