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**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2280 of 2020**

1. Meena Lakra W/o Rajaram Lakra, Aged About 41 Years Caste Oraon (St), Occupation - Presently Sarpanch Of The Gram Panchayat Silsila, Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
2. Lacchuram, S/o Sukhna, Aged About 55 Years Ex-Panch Of The Gram Panchayat Silsila, R/o Khalpara, Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
3. Ramkumar S/o Lagun Ram Aged About 38 Years Occupation - Presently Panch Of The Gram Panchayat Silsila, R/o Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
4. Jageshwar S/o Bhukhna Aged About 47 Years R/o Khalpara, Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
5. Gahndul Ram, S/o Sukhnath, Aged About 45 Years Cast - Korwa, Ex-Panch Of Gram Panchayat Silsila, R/o Mahadevpara, Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
6. Shivnandan Beck S/o Bichun Aged About 48 Years R/o Bastipara, Village Silsila, Gram Panchayat Silsila, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh

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

1. State Of Chhattisgarh Through The Secretary, Ministry Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar Raipur, District : Raipur, Chhattisgarh

2. Collector Surguja, Collectorate, District : Surguja (Ambikapur), Chhattisgarh
3. Chief Executive Officer Janpad Panchayat Lundra, District : Surguja (Ambikapur), Chhattisgarh
4. Superintendent Of Police Surguja, District : Surguja (Ambikapur), Chhattisgarh
5. Station House Officer Police Station Lundra, Tahsil Lundra, District : Surguja (Ambikapur), Chhattisgarh
6. Maa Kudargarhi Minerals And Refractories Pvt. Ltd. Through Its Board Of Director, Registered Address Shop No. 503, 504, 505, Ozone Plaza, Fafadih Chowk, Raipur (Chhattisgarh) (Cin-U26999ct2019ptc009689)
7. Bodhgaya Math Bodhgaya Bihar, Through Its Mathadhish Shri Shri Shri 108 Shri Mahant Ramesh Giri, Aged About 75 Years, Chela Of Shri Satanand Giri Baikunthvas, R/o Bodhgaya Math, P.S. Bodhgaya, District : Gaya, Bihar
8. Smt. Anita Agrawal W/o Sunil Agrawal Aged About 50 Years R/o Banaras Chowk, Ambikapur, P.S. Ambikapur, Tahsil Ambikapur, District : Surguja (Ambikapur), Chhattisgarh
9. Anand Ram Painkra S/o Sitaram Painkra Aged About 50 Years Occupation - Secretary Of Gram Panchayat Silsila, R/o Village Jheradih, Tehsil Lundra, District : Surguja (Ambikapur), Chhattisgarh

**---- Respondents**

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| For Petitioners | : | Mr. Dilman Rati Minj, Advocate                                                           |
| For Respondents | : | Mr. Vivek Ranjan Tiwari, Addl. A.G. with<br>Mr. Mateen Siddiqui, Dy. Advocate<br>General |

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**Hon'ble Shri Justice P. Sam Koshy**  
**Order On Board**

**13.10.2020**

1. The allegation in the present writ petition or the grievance that the petitioners have raised, is the 'No Objection Certificate' issued by the respondent no. 9 illegally on behalf of the Gram Sabha of Gram Panchayat Silsila, Tahsil: Lundra granting No Objection Certificate for the other private respondents in establishing/construction of Calcined Bauxite and Refractories in the Gram Panchayat area.
2. The specific allegation by the petitioners who are the office bearers of Gram Sabha and also the previous office bearers of the gram panchayat is that a gram sabha was never convened for this purpose. The NOC has been issued to the other respondents illegally by the respondent no. 5. The counsel for the petitioners further submits that the petitioners already collectively have made a representation to the Collector in this regard vide annexure P-9 dated 20.08.2019. However, till date no such decision has been taken by the Collector in this regard.
3. At this juncture, learned State counsel submits that since these facts which are narrated by the petitioners in the writ petition are all facts which needs verification from the concerned authorities and petitioners having approached the Collector vide Annexure P-9. Let the writ petition itself be disposed off, directing the District Collector to take an expeditious decision on the said representations of the petitioners.
4. Given the said submission by the counsel for the parties, this court is of the opinion that as has been contended by the learned State counsel, the writ petition itself can be disposed off at this juncture, directing the

respondent no. 2 ie., District Collector : Surguja to take a decision on the representations of the petitioners at the earliest, preferably within a period of thirty days after conducting thorough enquiry on the matter. In case, if the allegations are found to be true or correct, the respondent no. 2 is directed to take appropriate steps to immediately forthwith stall the illegal construction activities that has begun pursuant to the illegal NOC given in the name of the Gram Sabha.

5. In addition the petitioners would also be permitted to file fresh representations before the Respondent No. 2 in this regard. Let a decision be taken within thirty days from the date of receipt of fresh representations by the petitioners.
6. The writ petition, accordingly stands disposed off.

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