

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2354 of 2020**

Aditya Chandrakar S/o Jawahar Chandrakar, Aged About 35 Years R/o Village- Belsonda, Post- Belsonda, 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 Zilla Panchayat Through Chief Executive Officer, Mahasamund, District- Mahasamund, Chhattisgarh
4. Sarpanch, Gram Panchayat Belsonda, Tahsil And District- Mahasamund, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Vivek Verma, Advocate
For State	:	Mr. Anand Verma, Deputy G.A.

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

14/10/2020

1. The grievance of the petitioner 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 petitioner 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 petitioner's 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 petitioner submits that his only prayer as of now is that let the respondents consider providing some pathway to the petitioner to approach for his property, which may get blocked on the construction of cattle shelter. For this the petitioner has already made representation to the respondent No. 2 and the limited prayer that the petitioner 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 petitioner has 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 petitioner has made, the petitioner in addition would also be entitled to make further fresh representation, if he so want justifying his claim.
6. Let the respondent No. 2 take a decision at the earliest within an outer limit of 60 days from today. The respondent no.2 shall also consider granting some pathway to the petitioner 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 his property.
7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge