

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 2551 of 2020**

- Gram Panchayat Odgi, through Sarpanch Mrs. Babi Agariya, W/o Shiv Kumar, aged about 34 years, Tehsil Baikunthpur, Distict Korea (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Nagariya Prashahan and Vikar Vibhag Mantralaya, Mahanaid Bhawan, Naya Raipur (C.G.)
2. The Collector, District Korea (C.G.)
3. Municipal Council, Baikunthpur, District Korea (C.G.)

---- Respondents

For Petitioner	:	Shri Aman Sharma, Advocate.
For Respondents	:	Shri Siddharth Dubey, Deputy Government Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Order on Board**Per P. R. Ramachandra Menon, Chief Justice****23.11.2020**

1. The Panchayat has moved this Court with the following prayers:

“10.1 That this Hon'ble Court may kindly be pleased to allow the petition by quashing Annexure P/1 dated 13.10.2020, published in the C.G. Gazette (Asadharan) holding it to be illegal, unconstitutional to the Article 243 B and 243 E, as well as Section 5 & 6 of C.G. Municipality Act, 1961.

10.2 That, the Hon'ble Court may kindly issue a writ of mandamus against the respondents not to enforce the impugned notification as it is ultra vires in the eye of law, restraining respondent no. 1 from making the final publication of the

impugned notification including the petitioner's panchayat in the municipal limit of Baikunthpur Municipality.

10.3 That, the Hon'ble Court may kindly call the record behind which the Respondent no. 1 has intended to notify and publish the Annexure P-1, found to be beneficial in the interest of the villagers and public at large.

10.4 That, Hon'ble Court may kindly any other relief/reliefs which may deem fit and proper in the facts and circumstances of the case, may also be allowed.

10.5 Cost of the petition be allowed."

2. When the matter is taken up for consideration with reference to the default pointed out by the Registry, the learned counsel appearing for the Petitioner seeks for permission to withdraw the matter.
3. Permission is granted. The writ petition is dismissed as withdrawn.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge