

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 2444 of 2020**

1. Smt. Sunita Yadav W/o Sushil Kumar Yadav, Aged About 37 Years
2. Smt. Manju W/o Dhir Singh, Aged About 33 Years
3. Smt Lalita Bai W/o Thakur Dayal, Aged About 43 Years
4. Ram Prasad S/o Jagatpal, Aged About 29 Years

All the petitioners are R/o Village - Patrapali And Holding The Post Of 'Panch' At Gram Panchayat - Patrapali, Baikunthpur District - Koriya Chhattisgarh.

---- Petitioners**Versus**

1. State Of Chhattisgarh, Through - The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Collector, Baikunthpur, District - Koriya Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat, Baikunthpur, District - Koriya Chhattisgarh
4. Sub Divisional Officer, Baikunthpur, District - Koriya Chhattisgarh.
5. Chief Executive Officer, Janpad Panchayat, Baikunthpur, District - Koriya Chhattisgarh.
6. Secretary, Gram Panchayat Patrapali, Tahsil - Baikunthpur, District - Koriya Chhattisgarh.
7. Sarpanch - Gram Panchayat Patrapali, Baikunthpur, District - Koriya Chhattisgarh.

---- Respondents

For Petitioners	:	Mr. Syed Majid Ali, Advocate
For State	:	Mr. Mateen Siddiqui, Deputy A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/10/2020**

1. The limited relief that the petitioners have sought in the present writ petition is the illegal approach of the Gram Panchayat Patrapali in the construction of Panchayat building and also the construction of

fair price shop.

2. According to the petitioners, the decision of the Gram Panchayat in construction of the said Panchayat building and the fair price shop on khasra No. 445 is totally illegal and contrary to the provisions of law and the decision also is ignoring the statutory provisions and the construction so proposed is also on a private land, which again is not permissible. The counsel for the petitioners submits that the petitioners have already made representations in this regard i.e. Annexure P/6 & P/7, which have till date not been decided.
3. The learned State counsel submits that since the matter is already seized by the District Collector, let the District Collector take a decision on the said representations that the petitioners and other villagers have made.
4. On the said submission made by the counsel for the parties, the writ petition stands disposed of directing the District Collector (respondent No.2) to take a decision on the representations (Annexure P/6 & P/7) at the earliest preferably within a period of 6 weeks from the date of receipt of the copy of this order.
5. It is made clear that this Court has not expressed any opinion on the merits of the case. It is expected that the District Collector shall take a decision strictly in accordance with the provisions governing the field after due verification of facts.
6. According to the counsel for the petitioners, the respondents are carrying on with the illegal construction. The petitioners would be free to approach the respondent No.2 for obtaining any interim

protection in this regard. Upon an interim application being moved, it is expected that the Collector to take a decision on that interim application on priority basis.

7. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved