

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 554 of 2021**

- Vinod Rajgond S/o Shri Navid Chand Rajgond Aged About 38 Years R/o In Front Of Jute Mill Lane, Raigarh, Tahsil And District- Raigarh, Civil And Revenue District- Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Collector Raigarh, District- Raigarh, Chhattisgarh.
2. The Sub Divisional Officer (Revenue) Raigarh, District- Raigarh, Chhattisgarh.
3. The Municipal Corporation Raigarh Through Its Commissioner, Raigarh, District- Raigarh, Chhattisgarh
4. The Nazul Officer Raigarh, District- Raigarh, Chhattisgarh.

---- Respondents

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate
For Respondent/ State	:	Shri Gagan Tiwari, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****08.02.2021**

Heard.

1. Learned counsel for the petitioner would submit that notice inviting tender of the CC road was made by the Municipal Corporation, Raigarh which was sanctioned at ward No. 31, thereafter the construction is not being carried out, therefore, the respondent Municipal Corporation may be directed to carry out the construction of the road.
2. The grievance raised by the petitioner appears to be genuine, however the High Court in exercise of power under Article 226 of Constitution of India will not sit as the superior authority of the Municipal Commissioner to direct a

particular action be fast tracked, it is within the domain of the Municipal Corporation as different administrative exigency and other financial angle are involved, therefore issuance of mandamus would amount to usurping the power of Municipal Corporation to discharge the administrative function. However, the petitioner is at liberty to make a representation to Respondent No. 3 to redress his grievance and it is expected that if such representation is made to Respondent No. 3, it shall be decided and looked into, considering the decision which is taken by the Municipal Corporation.

3. With the aforesaid observation, the petition is disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti