

HIGH COURT OF CHHATTISGARH, BILASPUR

REVP No. 75 of 2021

1. State of Chhattisgarh through the Secretary, Department of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Secretary, Public Works Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, New Raipur District Raipur Chhattisgarh
3. Collector District Janjgir Champa Chhattisgarh
4. Secretary Public Works Department, Mantralaya, Mahanadi Bhawan, New Raipur District Raipur Chhattisgarh
5. The Sub Divisional Officer (Revenue)-Cum-Competent Authority National Highway No. 200(Ne No. 49) Champa, District Janjgir Champa Chhattisgarh **--- Petitioners**

Versus

1. Balram Prasad S/o Mahesh Prasad Rathore Aged About 41 Years R/o Village Masaniyakala, Police Station Sakti, District Janjgir Champa Chhattisgarh
2. Ramchandra S/o Mahesh Prasad Rathore Aged About 37 Years R/o Village Masaniyakala, Police Station Sakti, District Janjgir Champa Chhattisgarh
3. Laxman Prasad S/o Mahesh Prasad Rathore Aged About 31 Years R/o Village Masaniyakala, Police Station Sakti, District Janjgir Champa Chhattisgarh
4. National Highway Authority of India through Chief Engineer, Public Works Department, National Road Area, Raipur District Raipur Chhattisgarh
5. Union of India through Secretary, Ministry of Road, Transport and Highways, New Delhi **--- Respondents**

For Petitioners : Mr. Gagan Tiwari, Dy. G.A.

For Respondent No. 5 : Mr. Tushar Dhar Diwan, Advocate on behalf of Mr. Ramakant Mishra (ASG)

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.06.2021

1. Heard
2. Learned counsel for the petitioner submits that this Court in WPC No. 1313/2019 has passed the following order on 08.04.2019:-

“4. In view of the above position, this writ petition is disposed of with a direction that if the petitioners make a fresh representation within a period of four weeks from today alongwith the copy of the order

passed in WPC No.231/2019, the concerned respondents shall consider and decide the same within a further period of six weeks from the date of presentation of copy of this order.”

3. It is further submitted that the Division Bench order which was passed earlier on 30.10.2018 in WPC No. 1649/2017 has been reviewed subsequently on 12.12.2019, therefore the Division Bench itself has reviewed the order and thus the direction as given in para 4 in WPC No. 1313/2019 may be reviewed.
4. A perusal of Para 4 of the direction issued by this Court on 08.04.2019 in WPC No. 1313/2019 only speaks that the concerned respondent shall decide the representation within a specified time. This Court has not expressed any opinion on specific particulars of the Division Bench order and if the Division Bench order which has been passed on 30.10.2018 has been reviewed on 12.12.2019, then it will also be within the ambit of the Division Bench order. The State, therefore, can pass the order in view of the review order passed by the Division Bench. Hence, no case is made out to review of the order dated 08.04.2019.
5. With the aforesaid direction/ observation, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)
Judge