

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(C) No. 4790 of 2021**

Madhav Saraf, S/o. Late Kamal Nayan, aged about 48 years, By Caste- Sonar,  
R/o. Village Balouda, Tahsil Balouda, District- Janjgir-Champa (C.G.)

**---- Petitioner**

**Versus**

1. State of Chhattisgarh, Through - Collector, Janjgir, District- Janjgir-Champa (C.G.)
2. Chief Municipal Officer Balouda, District- Janjgir-Champa (C.G.)

**---- Respondents**

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| For Petitioner        | : Mr. Ajay Kumar Chandra, Advocate |
| For State-Respondents | : Ms. Shriya Mishra, P.L.          |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order On Board**

**26/11/2021**

1. This petition has been brought making prayer for issuance of direction to the respondent No.2, Chief Municipal Officer, Balod.
2. On the basis of the compromise, decree has been granted in favour of the petitioner by order dated 01.11.2015, according to which, the respondent No.2 had agreed to construct a Pakka drain in front of the house of the petitioner ensuring the uninterrupted flow of water. It is submitted that the respondent No.2 has not complied with the directions of the agreement so far. Therefore, direction be issued.
3. Learned State counsel representing respondent No.1 opposes the submissions.
4. Considered on the submissions. The decree dated 01.11.2015 is in favour of the petitioner, which can be executed in the Civil Court, therefore, this petition is disposed off at motion stage. The petitioner is

granted liberty to file an application for execution of the decree based on the compromise with the respondents and the learned Executing Court shall be at liberty to execute the decree as per the terms of the agreement between the parties.

5. Accordingly, with these observations, this petition is disposed off.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge

Balram