

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 5074 of 2021

1. Neeraj Pathak S/o Shri Mahavir Pathak Aged About 40 Years R/o Thadpathar, Police Station- Chandani, Tehsil- Odgi, District- Surajpur, Chhattisgarh

---Petitioner(s)

Versus

1. State Of Chhattisgarh Through Secretary Department Of Mineral Resources, Mahanadi Bhawan, Nava Raipur, Atal Nagar, Raipur District Raipur, Chhattisgarh
2. State Level Environment Impact Assessment Authority Chhattisgarh, Ministry Of Environment, Forest And Climate Change, Government Of India, Paryavas Bhawan, Sector-19, Nava Raipur, Atal Nagar, Raipur District Raipur, Chhattisgarh
3. The Collector Surajpur, District Surajpur, Chhattisgarh
4. Sub-Divisional Officer (Revenue) Bhaiyathan, District Surajpur, Chhattisgarh
5. M/s Shri. Lallu Soni (Semra Sand Mines) S/o Shri Mandhari Soni, R/o Ward No. 02, Village- Sonarpara, Palma, Tehsil- Bhaiyanthan, District- Surajpur, Chhattisgarh

---Respondents

For Petitioner	:	Shri Ashish Surana along with Shri Chetan Singh Chouhan, Advocates.
For State	:	Shri Rahul Jha, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09.12.2021

1. The present writ petition has been filed seeking for the following reliefs :
 1. The Hon'ble court may kindly be pleading to call for the entire records of the case for the kind perusal of this Hon'ble Court.
 2. The Hon'ble Court may kindly be pleased to direct the District Collector, Surajpur (Respondent No.3) to decide upon the application dated 12.11.2019 submitted by the petitioner and conduct an enquiry on the issue/complaint and take appropriate action.
 3. Cost of the petition may also be granted to the petitioner.

4. Any other relief which this Hon'ble Court deems fit and proper may also kindly be granted to the petitioner in the interest of justice.”
2. A plain perusal of the pleadings and the reliefs sought for by the petitioner this court is of the firm view that this is not a petition where there is any individual grievance of the petitioner or where any of the fundamental rights of the petitioner has been infringed so as to entertain the writ petition. The grievance of the petitioner seems to be alleged illegal sand mining carried out by the respondent No.5. The petitioner is a local resident of that village who is trying to raise a general issue of public interest. This court is of the opinion that the writ petition would not be maintainable.
3. Accordingly, reserving the right of the petitioner to avail other appropriate remedies including that of filing of a Public Interest Litigation, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge