

**IN THE HIGH COURT OF JUDICATURE AT BILASPUR**  
**(CHHATTISGARH)**

W.P. No. 210 /2001

**PETITION UNDER ARTICLE 226 / 227 OF THE CON-**  
**STITUTION OF INDIA**

**Petitioner** : Suryapratap Singh S/o Laxman Singh,  
Aged about 35 years, Agriculturist,  
R/o Village Gangoti, P.S. and Tahsil - Surajpur  
Distt. Surguja (Chhattisgarh)

**VERSUS**

**Respondents** : 1. State of Chhattisgarh, Ministry of  
Panchayat and Rural Development  
Through its secretary, Secretariat, Raipur  
2. Gram Panchayat Gangoti through secretary  
Gram Panchayat Gangoti Tahsil Surajpur  
Distt. Surguja  
3. Gram Sabha Gangoti through Sarpanch Gram  
Panchayat Gangoti Tahsil Surajpur Distt. Surguja  
4. Block Development Officer/Chief Executive  
Officer, Gram Panchayat Gangoti Tahsil Surajpur  
Distt. Surguja

P. R. No. 233/01  
15-2-01

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**PETITION UNDER ARTICLE 226 / 227 OF THE CON-**  
**STITUTION OF INDIA**

**1. Particulars of the Petitioner :**

As state above

## आदेश पत्रक

मामला क्रमांक W.P.210/2001 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><b>20.2.2001 :</b></p> <p><b>Mr.B.P.Gupta for the petitioner.</b></p> <p><b>Dr.N.K.Shukla, learned Dy.AG for the State.</b></p> <p>By this Pro bono publico the petitioner seeks to challenge the validity of the resolution passed by the Gram Panchayat that ( New ? ) Panchayat building be constructed in the bazar area. According to the petitioner the resolution was illegally passed. The land has not yet been measured and demarcated and because of the pressures exerted by the Sarpanch, such construction is sought to be raised.</p> <p>Undisputedly, the meeting for re-consideration of the resolution can be requisitioned by the Panchas who are opposing it, or if the petitioner or the Panch people feel that the resolution passed by the Panchayat is illegal and is contrary to law then they can challenge the validity /correctness of the said resolution before the appellate forum. If the petitioner and the Panch people are of the opinion that Panchayat building is sought to be constructed on nazul / nistari land, then again the petitioner and such panchas have right to go to the collector who under the law is entitled to entertain such a dispute and in appropriate</p>	

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आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित ..2..	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
<p>1 + 1</p> <p>1+1</p>	<p>cases may pass the order of stay.</p> <p>As the petitioner has the alternative remedy available to him, under the M.P. Land Revenue Code so also under the Panchayat Raj Adhiniyam, we do not consider present to be a fit case for interference. Petition is dismissed. The amount of security deposited by the petitioner be refunded back.</p> <p>Certified copy today.</p> <p>Sd/- Chief Justice</p>	<p>Sd/- R.S. Garg Judge</p>

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