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HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

**CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. C.J. &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.**

Writ Appeal No. 271 of 2007

Appellant : Ramkhilawan Kewat, s/o. Latel Ram
Petitioner Kewat, aged about 28 years R/o.
Village Baitary, P.O. Malhar Tah.
Masturi Distt. Bilaspur (C.G.)

Versus

Respondents :

1. Gram Panchayat, Vill. Jaitpur, P.O. Malhar, Tah. Masturi, Distt. Bilaspur (C.G.)
2. Smt. Santosh Kumar Pandey, Sarpanch, Gram Panchayat Jaitpur, Tah. Masturi, Distt. Bilaspur (C.G.)
3. Chief Executive Officer Matsay Krishak Vikas Abhikaran, Bilaspur (C.G.)
4. State of Chhattisgarh Through - Collector, Bilaspur (C.G.)

Memorandum of Writ Appeal under Section 2(1) of High Court of Chhattisgarh (Appeal to Division Bench) Act 2006

Present : Shri J.P. Sarkar, counsel for the appellant.
Shri Sushil Dubey, Government Advocate for the State.

ORAL JUDGMENT
(Passed on 31st October, 2007)

The following oral judgment of the Court was passed by Hon'ble Jagdish Bhalla, Ag. C.J.

Learned counsel for the appellant submits that there are two agreements; one is legal and the other is illegal, therefore he has certain rights flowing from validity of the agreement to do business.



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Accordingly, learned counsel prays that the order passed by the learned Single Judge be set aside. No other point was pressed.

Learned counsel for the State Shri Sushil Dubey submits that the order passed by the learned Single Judge is absolutely correct because the appellant has not given any reason as to why the said agreement is illegal.

We are of the considered opinion that the learned Single Judge has dealt with the matter and has rightly come to the conclusion that the petitioner has failed to explain why the said agreement is illegal. Further, it was found by the learned Single Judge that the petitioner/ appellant has not made any prayer to the effect that the second agreement is illegal. Learned counsel for the appellant failed to point out any illegality in the impugned order, warranting interference in this appeal. Accordingly, the writ appeal is dismissed.

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Sd/-
Acting Chief Justice

Sd/-
Chief Justice