

**HIGH COURT OF CHHATTISGARH, BILASPUR****WPPIL No. 7 of 2023**

Punit Pradhan S/o Bisahu Aged About 38 Years R/o Village Kumhari, Post And Tahsil Marwahi, District Gourela Pendra- Marwahi Chhattisgarh.

---- **Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Department of Revenue, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. Secretary, Department of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
3. Collector, District Gourela Pendra- Marwahi Chhattisgarh.
4. Sub Divisional Officer, Marwahi, District Gourela -Pendra Marwahi Chhattisgarh.
5. District Mining Officer, District Gourela Pendra Marwahi Chhattisgarh.
6. Chief Executive Officer, Zila Panchayat, District Gourela- Pendra - Marwahi Chhattisgarh.
7. Chief Executive Officer, Janpad Panchayat, Marwahi District Gourela -Pendra -Marwahi Chhattisgarh.
8. Project Director (Drda), Zila Panchayat, District Gourela Pendra Marwahi Chhattisgarh.
9. Sub Divisional Officer, Rural Engineering Services, District Gourela Pendra Marwahi Chhattisgarh.
10. Gram Panchayat Kumhari, Through Its Secretary, Village Kumhari, Post And Tahsil Marwahi, District Gourela -Pendra Marwahi, Chhattisgarh.

---- **Respondents**

(Cause-title taken from Case Information System)

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| For Petitioner | : | Mr. Shashank Thakur, Advocate. |
| For Respondents No. 1 to 5 & 9 | : | Mr. Raghavendra Pradhan, Additional Advocate General. |



Hon'ble Shri Arup Kumar Goswami, Chief Justice

Hon'ble Shri Rakesh Mohan Pandey, Judge

Order on Board

Per Arup Kumar Goswami, Chief Justice

24.01.2023

Heard Mr. Shashank Thakur, learned counsel for the petitioner. Also heard Mr. Raghavendra Pradhan, learned Additional Advocate General, appearing for respondents No. 1 to 5 and 9.

2. The petitioner in this public interest litigation had earlier served as Sarpanch in the Gram Panchayat, Kumhari.

3. It is pleaded that a decision had been taken by the State Government that an eatery by the name of "Garh Kalewa" would be set up in every city and town to serve cuisines and delicacies of the State of Chhattisgarh and for the aforesaid purpose, in the District Gourela-Pendra-Marwahi, land was identified. It is pleaded that near the forest office one (1) acre of land out of 4.561 hectares in Khasra No. 212 had been reserved for social, cultural and religious functions, sports events and recreational activities by the Gram Sabha and a community hall had already been constructed over it through funds collected from local residents and the "Garh Kalewa" is proposed to be set up there.

4. 4.561 hectares is about 11 (eleven) acres and thus, there is a large open area in Khasra No. 212, where the "Garh Kalewa", is to be set up.

5. A perusal of letter dated 08.12.2022 by which a sum of Rs.9,15,000/- was allotted for construction of boundary wall to the Sarpanch / Secretary



of Gram Panchayat, Kumhari, where the “Garh Kalewa” is to be set up, goes to show that the Panchayat has no objection to setting up the aforesaid “Garh Kalewa”.

6. In view of the above, we are not inclined to entertain this public interest litigation and accordingly, the same is dismissed.

Sd/-
(Arup Kumar Goswami)
Chief Justice

Sd/-
(Rakesh Mohan Pandey)
Judge

