



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 111 of 2024

In the matter of Suo Moto Public Interest Litigation regarding News item Namely- Sena Ki Jameen Se Chori Ki Gayi Murum Ki Moti Parat Bich Rahi Coloniyo Me, Raipur Road Me 300 Ekad Me Ban Rahi Colony, 60 Ekad Me Murum Se Banai Sadak, Published in Daily News Paper Dainik Bhaskar, dated 24 December, 2024.

... Petitioner(s)

versus

- 1 - Union of India Through Secretary, Ministry of Defence Sub Area Office, New Raipur (C.G.)**
- 2 - State of Chhattisgarh Through The Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur (C.G.)**
- 3 - Secretary Mines and Mineral Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur (C.G.)**
- 4 - Secretary Revenue and Disaster Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur (C.G.)**
- 5 - Secretary Transport Department, Govt. of Chhattisgarh, Atal Nagar, Nawa Raipur (C.G.)**
- 6 - Collector Bilaspur, District Bilaspur (C.G.)**
- 7 - Superintendent of Police Bilaspur, District Bilaspur (C.G.)**
- 8 - District Mining Officer Bilaspur, District Bilaspur (C.G.)**

9 - Regional Transport Authority (R.T.O.) Bilaspur, District Bilaspur (C.G.)

... Respondent(s)

Order Sheet

26/12/2024	<p>The present Public Interest Litigation has been taken <i>suo moto</i> cognizance by this Court regarding news item namely “सेना की जमीन से चोरी की गई मुरूम की मोटी परत बिछ रही कॉलोनियों में” “रायपुर रोड में 300 एकड़ में बन रही कॉलोनी, 60 एकड़ में मुरूम से बनाई सड़क” published in the Daily News Paper Dainik Bhaskar, Bilaspur Bhaskar, dated 24 December, 2024.</p> <p>It has also come to the notice of this Court that similar news items have also been published in the Daily News Paper Danik Bhaskar, Bilaspur on 13.12.2024, 14.12.2024, 17.12.2024 and 20.12.2024.</p> <p>Looking to the seriousness of the matter where <i>muroom</i> has been excavated from the land belonging to the Army, this matter is being taken up for hearing during the winter holidays.</p> <p>Through the news item published on 24.12.2024, it has been highlighted that at Raipur road near</p>

Parsada, Divine Group through its proprietor Shri Pawan Agrawal, Seven Hills, Near Jain Mandir, Vinoba Nagar, Bilaspur (C.G.) Pin 4959001, is constructing a colony namely 'Fortune Element Colony', wherein the builder is building roads in the colony by buying stolen *muroom* at a throwaway price and at present concrete is being done on a road at about one kilometer to enter the colony from the main gate. A thick layer of stolen *muroom* has been laid beneath it and it is alleged that the said stolen *muroom* has been extracted from army land in village Telsara near Chakarbhatha Airport.

Mr. R. K. Gupta, learned Additional Advocate General, appearing for the State / respondent No.2 to 9 has produced a copy of the letter dated 25.12.2024 sent by the Mining Officer, District Bilaspur (C.G.) to M/s. Fortune Element, Prop. Shri Pawan Agrawal, District – Bilaspur (C.G.), who is a private builder, against whom allegation has been made that he is being using the *muroom* extracted from the land of the Army for the use of developing his colonies.

In view of the same, Registry is directed to

implead 'Fortune Element Colony' through its proprietor Shri Pawan Agrawal, Seven Hills, Near Jain Mandir, Vinoba Nagar, Bilaspur (C.G.) Pin 4959001 as respondent No.10 in the present WPPIL.

Learned Additional Advocate General has stated that notice has already been issued to Shri Pawan Agrawal in this regard and his reply is still awaited.

Mr. Ramakant Mishra, learned Deputy Solicitor General, appearing through video conferencing for Union of India / respondent No.1, as per instruction, has stated that Defence Estate Officer has also made request to the Collector, Bilaspur to stop the excavation of *muroom* from the land of Army.

Respondent No.1 as well as respondent No.3 are directed to file their respective personal affidavits in this regard.

The learned Additional Advocate General shall ensure that notice about the present PIL is also served on the newly added respondent No.10, 'Fortune Element Colony' through its proprietor Shri Pawan Agrawal, Seven Hills, Near Jain Mandir, Vinoba Nagar,

Bilaspur (C.G.) Pin 4959001, who may appear in person or through his counsel, if he so wishes, before this Court on the next date of hearing.

Let the matter be listed again on 9th of January, 2025.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice