



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 22 of 2025

In The Matter Of Suo Moto Public Interest Litigation Based On News Item
Published In Patrika Xpose Raipur Dated 31st January 2025 Namely,

“देखरेख के आभाव में गांधी शिशु उद्यान होता जा रहा बदहाल”

&

“गुमटी बनाकर शासकीय जमीन पर कब्जा नले पर अतिक्रमण, यातायात बाधित और
असामाजिक तत्वों का जमावडा”

&

“मोवा अंडरब्रिज में गंदगी का आलम, राहगीर हो रहे परेशान”

... Petitioner(s)

versus

- 1 - State Of Chhattisgarh Through Chief Secretary Mahanadi Bhawan Atal
Nagar Nawa Raipur Chhattisgarh**
- 2 - Secretary Urban Administration And Development Mantralaya Mahanadi
Bhawan Atal Nagar Nava Raipur (C.G.)**
- 3 - Secretary Revenue And Disaster Management Department Mahanadi
Bhawan Atal Nagar Nava Raipur (C.G.)**
- 4 - Collector Raipur District - Raipur Chhattisgarh**

5 - Superintendent Of Police Raipur District- Raipur Chhattisgarh

6 - Commissioner Municipal Corporation Raipur Chhattisgarh

7 - Commissioner Municipal Corporation, Birgaon District - Raipur
Chhattisgarh

... Respondent(s)

Order Sheet

<p>03/02/2025</p>	<p>This is an office reference.</p> <p>This suo moto public interest litigation petition has been registered on the basis of three news reports published in Hindi Daily Newspaper, Patrika XPOSE dated 31.01.2025. The heading of the first news is “देखरेख के आभाव में गांधी शिशु उद्यान होता जा रहा बदहाल”. The news report states that the Gandhi Bal Udyan, which was constructed for children to play, is no longer fit for physical exercise. The condition of the garden is very bad. The exercise machine installed here has broken. One of the handles of the bicycle in the garden has broken. The standing parts of the waist twister have broken. The groove of the air walker has come off. The upper layer of the fitness weight bench has also started coming off. The swings for small children have</p>

broken. All the exercise equipment have become discolored and disfigured. This garden looks in a bad condition due to lack of maintenance of the equipment. Five photographs have also been published alongwith the newsreport.

The heading of the second news item is “गुमटी बनाकर शासकीय जमीन पर कब्जा नले पर अतिक्रमण, यातायात बाधित और असामाजिक तत्वों का जमावडा”. According to this news report, menace of illegal encroachment is continuously increasing in Birgaon Municipal Corporation area. People are illegally occupying government land and setting up kiosks, which not only affects traffic but has also increased the gathering of anti-social elements. Around Birgaon Nala, a kiosk has been set up by breaking the wire fencing and demolishing the wall, which has worsened the situation. An industrial institute has planted trees on both sides of the road from Birgaon Nala to Singhania Chowk Urla. This plantation has been done by the government and for its maintenance, lakhs of rupees is being spent every year but due to encroachment and anti-social elements, these trees are being harmed. People are consuming narcotic and psychotropic substances in the morning and evening under the cover of kiosks, due to which the plantation is being seriously damaged. Local residents and organizations have lodged

complaints several times in the Municipal Corporation, CSIDC office and Urla Police Station, but no concrete action has been taken in this matter. Municipal Corporation Commissioner has assured that the Municipal Corporation team will visit and inspect the spot action will be taken in this matter soon. A photograph of the illegal encroachment made by the people have also been published.

Heading of the third news is “मोवा अंडरब्रिज में गंदगी का आलम, राहगीर हो रहे परेशान” which states that the condition of the Mowa under-bridge in the Capital is bad. Dirty water accumulates here. Water remains spread on the road. The tyres of vehicles passing through it get stuck in the drain attached to the wall anytime. Due to this, there is at times a situation of jam here. Garbage has started accumulating on the banks. A mirror was installed on the wall at the turn. That too has broken and fallen. At present, there is filth and darkness here. Recently, the railway overbridge of Mowa was repaired, but the underbridge has been ignored. Due to this, pedestrians passing through here are facing inconvenience. Two photographs have also been published alongwith the news report which shows that water is accumulated in the under-bridge.

When confronted with the aforesaid news reports, Mr.

Y.S.Thakur and Mr. Vivek Sharma, learned Additional Advocate General submits that the work of removal of the filth from the underbridge has already begun. They further submit that they may be granted some time to seek further instructions in the matter and file appropriate response.

So far as the news relating to encroachment is concerned, Mr. Satish Gupta, learned counsel appearing for the respondent-Municipal Corporation, Birgaon submits that notices have been issued to the illegal encroachers and within seven days, appropriate action would be taken for removal of the encroachment. He also prays that some time may be granted so that he may seek further instructions in the matter and file his response.

The first and the third news report relates to the Municipal Corporation, Raipur and the third is related to Birgaon Municipal Corporation, which also falls within the Raipur District. The aforesaid news report and the photographs are the evidence to the lethargic and indolent approach of the authorities who are least bothered about the well to do and maintenance of the infrastructures of the State and the civic amenities which are meant for the public at large. Very recently, on 30.01.2025, the entire country had paid homage to Mahatma Gandhi which is

the day when he laid his life for the country. During the entire lifetime, apart from his struggle for freedom, Gandhiji also believed in cleanliness. Gandhiji said that “sanitation is more important than independence”. Gandhiji made cleanliness and sanitation an integral part of his life. The condition of the Gandhi Shishu Udyan, the condition of the Mova Underbridge speaks volumes. It appears that the responsible authorities are turned blind to these factual scenario. Further, the illegal encroachment on the Birgaon Nala would lead to law and order situation as it has become a safe haven for the drunkards and anti social elements.

Hence, at this stage, we deem it appropriate to direct the respondent No. 2, Secretary, Urban Administration and Development, Government of Chhattisgarh to file his personal affidavit with regard to the aforesaid news items and further to state as to what action has been taken by the authorities till date.

Let this matter be listed on **06th of February, 2025**.

Sd/-
(Ravindra Kumar Agrawal)
JUDGE

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Adil / Amit

AMIT
KUMAR
DUBEY
Digitally signed
by AMIT KUMAR
DUBEY
Date: 2025.02.03
20:30:45 +0530