

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPPIL No. 58 of 2019Sanjay Rajak **Versus** State Of Chhattisgarh

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29/08/2019	Mr. Sunil Otwani and Mr. Amit Soni, Advocates for the Petitioner. Mr. S.C. Verma, Advocate General with Mr. Siddharth Dubey, Deputy Government Advocate for the State. A very serious menace because of wandering of stray cattle all along the roads in the State of Chhattisgarh is brought to the notice of this Court by the petitioner. It is asserted that, despite the relevant provisions of law, to take necessary remedial measures, the respondents are simply shutting their eyes, to feel dark, by virtue of which, the regular traffic is quite adversely affected. There are instances of threat to life as well and some fatal accidents occurred recently, have been given in the writ petition. It also poses danger to the lives and limbs of innocent cattle folk wandering or resting on the roads; which includes milking cows and little calves. It is the case of the petitioner that the State/authorities have taken some policy decision to provide necessary infrastructure to accommodate such street cattle. But it is not being properly implemented or put into use and the provisions simply remain on paper. The steps being taken by the respondents to implement the relevant

provisions and to utilize the infrastructure, the various measures which are to be taken to remove the menace as mentioned above are to be put on record, to enable this Court to proceed with the further steps and tackle the situation effectively.

This Court is given to understand that most of the cattle belongs to the owners who reside nearby and the cattle are let to roam around on the roads without any control. The machinery under Chapter 30, particularly Section 355 of the Municipal Corporation Act, 1956 and Section 123 of the Municipalities Act, 1961, to take appropriate action against the persons who own the cattle, is not set in motion. It is revealed that everything is in a fluid state of affairs. All concerned are necessarily to be awakened and alerted, as to the role they have to play, in resolving the issue. Sensitization of people / owners of stray cattle to the requisite extent with the help and co-operation of the 'Print and Electronic media'

In the said circumstance, we find it appropriate to admit the writ petition.

It is ordered accordingly.

Mr. Dubey takes notice on behalf of the State/respondents 1 to 4.

Issue urgent notice to the 5th Respondent. Process fee as per Rules.

I.A. No.01/2019, application for leave for waiver of the locus standi Rules as per Rule 79(4) of the Chhattisgarh High Court Rules, 2007

stands allowed. I.A. No. 02/2019, application for exemption from deposit of security amount of Rs.5,000/- also stands allowed considering the public interest involved.

The respondents are directed to complete the pleadings.

List the matter for further consideration on 26/09/2019.

Sd/-

(P.R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge