

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 228 of 2015**

Narsingh Usendi, aged about 59 years, son of Late Shri Meshoram Usendi, Retired District Judge, Resident of village Goyanda/Seoni, Tahsil Durgukondal, District North Bastar, Kanker, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh, through the Secretary, Department of General Administration, Mahanadi Bhawan, New Raipur, Chhattisgarh.
2. Chief Election Office of State of Chhattisgarh, Shastri Chowk, Old Ministry Premises Raipur, District Raipur Chhattisgarh.
3. Collector, Kanker, District Kanker, Chhattisgarh.
4. Returning Officer (Panchayat)-cum-Sub Divisional Officer (Revenue) Janpad Panchayat Durgukondal (Area) District North Bastar Kanker Chhattisgarh.
5. Om Prakash Dubey, Assistant Election Officer-cum Naib Tahsildar, Tahsil Bhanupratappur, Janpad Panchayat, Durgukondal (Area), District North Bastar Kanker Chhattisgarh.
6. Kailash Netam son of Kishore Netam, resident of village Amakada, Post Karmoti, Tahsil Durgukondal, District North Bastar Kanker Chhattisgarh.
7. Devlal Gavde son of Naval Singh Gavde, resident of Village Duwa, Post Tarhul, Tahsil Durgukondal, District North Bastar Kanker Chhattisgarh.
8. Devendra Tekam son of Baisakhuram resident of village Salihapara, Tardul, Post Tarhul, Tahsil Durgukondal, District North Bastar, Kanker Chhattisgarh.
9. Dharam Singh Kowachi, son of Dhanwa Kowachi, resident of village Pedawadi, Tahsil Tarhul, Tahsil Durgukondal, District North Bastar, Kanker Chhattisgarh.
10. Mersingh Dugga son of Late Tuluram Dugga, resident of village Duwa, Post Tarhul, Tahsil Durgukondal, District North Bastar Kanker Chhattisgarh.
11. Sopsingh Aachala son of Vishram Aachala, resident of village Pujaripara, Post

Taraighotiya, Tahsil Durgukondal, District North Bastar, Kanker Chhattisgarh.

12. Sunil Mandavi son of Brij Mandavi, resident of village Mokha, Post Tarhul, Tahsil Durgukondal, District North Bastar Kanker Chhattisgarh.

---- Respondents

For Appellant	:	Shri A.H.Syed, Advocate.
For Respondent/State	:	Shri A.S.Gaharwar, Additional Advocate General.
For Respondent No. 2	:	Shri R.S.Marhas, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Judgment On Board

Per Navin Sinha, Chief Justice

21/04/2015

1. The present appeal arises from order dated 11.3.2015 dismissing Writ Petition (C) No. 435 of 2015.
2. The Learned Single Judge held that the Appellant having already challenged the election of the returned candidate for the post of Member of Janpad Panchayat, Region No. 1, Kalangpuri, Block Durgukondal by filing an election petition, the writ petition was not maintainable. We see no reason to arrive at a different conclusion.
3. Learned Counsel for the Appellant submits that the tabulation chart that he has asked for is not being made available. We are of the opinion that the Appellant has sufficient remedies in this regard before the Election Tribunal itself which he may pursue in accordance with law.
4. Let the election petition itself be decided expeditiously without granting unnecessary adjournments to the parties.
5. The appeal stands disposed.

Sd/-
 (Navin Sinha)
CHIEF JUSTICE

Sd/-
 (P.Sam Koshy)
JUDGE