

(5)

2

IN THE HON'BLE HIGH COURT OF CHHATTISGARHAT BILASPUR

{W.P. (C) No.....2563...../2014}

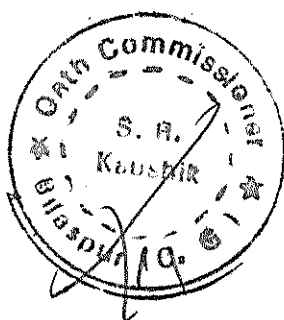
PETITIONERS

1. Kishor Rathiya S/o Jagaruk Rathiya; aged about - 31 year; Occupation - Panch/Up-sarpanch;
2. Paluram Rathiya S/o Tetku Rathiya; aged about - 49 year; Occupation - Ex-Panch; Both R/o Village - Bhuiyapalil; Post - Kukurda; Tahsil & District (Revenue and Civil) - Raigarh (C.G.)

P.R.No. 2563/14
Presented by Shri Vivek Ku Pandey
dated 22.12.14

VERSUSRESPONDENTS

1. State of Chhattisgarh
Through : Secretary
Panchayat and Rural
Development Department,
Mahanadi Bhawan, Mantralay,
New Raipur; District (Revenue
and Civil) - Raipur (C.G.)
2. The Collector Raigarh Tahsil &
District (Revenue and Civil) -
Raigarh (C.G.)
3. The Chief Executive Officer,
Jila Panchayat, Raigarh,
Tahsil & District (Revenue
and Civil) - Raigarh (C.G.)



A

3

3

WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA



23

HIGH COURT OF CHHATTISGARH : BILASPUR
W.P.(C) No.2563 of 2014

PETITIONERS

Kishor Rathiya & another

Versus

RESPONDENTS

State of Chhattisgarh & others

Single Bench : Hon'ble Shri Justice Prashant Kumar Mishra

Present :- Shri Vivek Kumar Pandey, counsel for the petitioners.
Shri S. Rathore, Dy. GA for the State.

ORAL ORDER

(Passed on this 5th day of January, 2015)

Heard learned counsel for the parties.

1. In **Gramvasi Gram Khari Gram Panchayat Dhamni & another Vs. The Collector, Baloda Bazar & others¹** and other connected matter, while dismissing the petitions concerning delimitation of Gram Panchayats, this Court has held that delimitation of Panchayats, its amalgamation/alteration or change of headquarter is a legislative function, wherein opportunity of hearing or principles of natural justice are not attracted. It has also held that Panchayat constituencies cannot be formed with mathematical precision. It has also been held that such delimitation of constituencies does not have adjudicatory disposition because an individual is not affected by the decision, as the delimitation exercise is for the entire population of the area, therefore, interference under Article 226 of the Constitution of India is not permissible.
2. In the present petition also the matter concerns delimitation of Gram Panchayats and formation of headquarters of the Gram Panchayats. Thus, this writ petition is squarely covered by the decision of this Court in *Gramvasi Gram Khari (supra)*.
3. Accordingly, the writ petition is dismissed in terms of *Gramvasi Gram Khari (supra)*. A copy of the order passed in *Gramvasi Gram Khari (supra)* be kept in the record of this petition.

Sd/-

Prashant Kumar Mishra
Judge

¹ WP (C) No.1996 of 2014, order passed on 24-11-2014