

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 6725 of 2014

- Kamlesh Kumar Nage S/o Purushottam Lal Nage Aged About 25 years R/o Village Bhothali, Gram Panchayat Farsiyan, Police Station & Post Fasiyan, Tahsil Nagri, Civil & Revenue District. Dhamtari C.G.

---- Petitioner

Versus

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikas Vibhag, Mantralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue District Raipur C.G.
2. Collector, Dhamtari, Distt. Dhamtari C.G.
3. Secretary, Gram Panchayat Bhothali, Tahsil Nagri, Distirct Dhamtari, C.G.

---- Respondents

And

WPS No. 623 Of 2015

- Toran Lal Netam, S/o Fulchand Netam, Aged About 25 years, R/o Village Sakra, Gram Panchayat Chivri, Police Station Nagri, Post Karaiha, Tahsil Nagri, Civil & Revenue District Dhamtari, C.G.

---- Petitioner

Vs

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikas Vibhag, Mantralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue District Raipur C.G.
2. Collector, Dhamtari, Civil & Revenue Distt. Dhamtari C.G.
3. Secretary, Gram Panchayat Chivarri, Tahsil Nagri, Civil & Revenue Distirct Dhamtari, C.G.
4. Sarpanch, Gram Panchayat Chivarri, Tahsil Nagri, Civil & Revenue District Dhamtari, C.G.

---- Respondents

And

WPS No. 6719 Of 2014

- Bhakt Prahlad, S/o Dular Singh Yadu, Aged About 27 years R/o Village Dompadar, Gram Panchayat Belargaon, Police Station & Post Belargaon, Tahsil Nagri, Civil & Revenue Distirct Dhamtari C.G.

---- Petitioner

Vs

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikash Vibhag, Mantralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue Distt. Raipur C.G.
2. Collector Dhamtari, Distt. Dhamtari C.G.
3. Surpanch, Gram Panchayat Belargaon, Tahsil Nagri, Distirct. Dhamtari C.G.
4. Om Prakash Nishad, S/o Manohar Lal Nishad Aged About 21 Years R/o Village Banora, Gram Panchayat Banora, Police Station & Post Belargaon, Tahsil Nagri, Civil & Revenue Distirct Dhamtari C.G.

---- Respondents

WPS No. 6720 Of 2014

- Trameshwar Sahu, S/o Elan Ram Sahu, Aged About 25 years, R/o Village Gedra, Gram Panchayat Gedra, Police Station & Post Gattsilli, Tahsil Nagri, Civil & Revenue District Dhamtari C.G.

---- Petitioner

Vs

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikash Vibhag, Mantralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue District, Raipur C.G.
2. Collector, Dhamtari, Distt. Dhamtari C.G.
3. Secretary, Gram Panchayat Gedra, Tahsil Nagri, Distirct Dhamtari C.G.

---- Respondents

And

WPS No. 6723 Of 2014

- Trilok Prajapati, S/o Rambharosa Prajapati, Aged About 33 years, R/o Village Farsiyan, Gram Panchayat Farsiyan, Police Station & Post Farsiyan, Tahsil Nagri, Civil & Revenue Distirct Dhamtari C.G.

---- **Petitioner**

Vs

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikas Vibhag, Mantralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue Distt. Raipur C.G.
2. Collector, Dhamtari, Distt. Dhamtari C.G.
3. Secretary, Gram Panchayat Farsiyan, Tahsil Nagri, District Dhamtari C.G.
4. Preeti Sahu, W/o Jitendra Sahu, Aged About 20 Years, R/o Village Farsiyan, Gram Panchayat Farsiyan, Police Station & Post Farsiyan Tahsil Nagri Civil & Revenue District Dhamtari C.G.

---- **Respondents**

And

WPS No. 6724 Of 2014

- Chetan Kashyap S/o Premlal Kashyap Aged About 24 years R/o Village Amali Gram Panchayat Amali, Police Station & Post Amali Tahsil Nagri, Civil & Revenue Distirict Dhamtari C.G.

---- **Petitioner**

Vs

1. State of Chhattisgarh, Through Additional Secretary, Panchayat & Gramin Vikas Vibhag, Matralaya, Mahanadi Bhawan, New Raipur, Civil & Revenue Distt. Raipur C.G.
2. Collector Dhamtari, Distt. Dhamtari C.G.
3. Secretary Gram Panchayat, Amali, Tahsil Nagri, District Dhamtari, C.G.

---- **Respondents**

For Petitioners	:	Shri Kunal Das, Advocate
For Respondent/State	:	Shri Y.S. Thakur, Dy. AG for the State
For respective Respondent:		Shri Shashank Thakur & Shri Vivek Singhal, Advocates

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/05/2015

1. Petitioners have assailed the legality and validity of the impugned notice issued by the respondent authorities questioning petitioners' appointment on the post of Panchayat Assistant-cum-Data Entry Operator.
2. The subject appointment is governed under the guidelines issued by the State Government wherein clause 15 provides for an appeal under the provisions of the Chhattisgarh Panchayat Raj Adhiniyam, 1993. Thus, the petitioners have an efficacious alternative remedy to challenge the impugned order.
3. Accordingly, all the writ petitions are dismissed. However, liberty is granted in favour of the petitioners to avail the alternative remedy within a period of one month from today. If the petitioners prefer the appeal within the stipulated period, the appellate authority shall consider and decide the same, in accordance with law and on its own merits, as early as possible preferably within a period of three months from the date of submission of appeal by the petitioners.
4. In WP (S) Nos.6720 and 6724 of 2014, interim order has been passed by this Court. The same shall continue during pendency of the appeal before the appellate authority, in respect of the petitioners of the said writ petitions.
5. It is made clear that this Court has not expressed any opinion on the merits of the case and the appellate authority shall decide the appeal, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

J u d g e

Gowri