

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3613 of 2015

- Fekuram Sahu S/o Shri Bodhram Sahu, Aged About 46 Years
Occupation Service, Presently Posted As Panchayat Secretary At
Gram Panchayat, Misda, Janpad Panchayat Nawagarh, Distt. Janjgir
Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Panchayat & Rural
Development Department, Mahanadi Bhawan, Raipur, (Chhattisgarh)
2. The Chief Executive Officer, District Panchayat, Janjgir Champa,
(Chhattisgarh)
3. The Chief Executive Officer , Janpad Panchayat Nawagarh, District
Janjgir- Champa, (Chhattisgarh)
4. The Deputy Director, Panchayat, District Janjgir Champa,
(Chhattisgarh)
5. Sarpanch, Gram Panchayat Misda, Janpad Panchayat Nawagarh,
District Janjgir Champa, (Chhattisgarh)

---- Respondents

For Petitioner	Shri Ashwani Shukla, Advocate
For Respondent/State	Shri P.K. Bhaduri, GA

Hon'ble Justice Shri Prashant Kumar Mishra

Order On Board By

07/10/2015

1. The petitioner is aggrieved by the order of suspension, passed by the
Chief Executive Officer, Jila Panchayat, Janjgir-Champa in exercise of
powers under the Chhattisgarh Panchayat (Discipline and Appeal)
Rules, 1999 (for short 'the Rules, 1999').

2. Admittedly, such an order is appealable under Rule 15 of the Rules, 1999, therefore, there is a statutory alternative remedy available to the petitioner.
3. Despite being aware of the availability of alternative remedy, the petitioner has preferred this writ petition before this Court unnecessarily burdening the docket. There is a growing tendency amongst the litigants to rush to the High Court even in cases, where there is a statutory alternative remedy available, therefore, in view of law laid down by the Supreme Court in the matter of **Union of India and others v. Major General Shri Kant Sharma and another**¹, the writ petition is dismissed as not maintainable.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala

¹ (2015) 6 SCC 773