

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1794 of 2015

Vimla Bai Valmiki W/o Late Shri Raj Kumar Valmiki, Aged About 40 Years Removed Sarpanch Of Gram Panchayat Dadhi, R/o Village Dadhi Janpad Panchayat Bemetara, P.S. Bemetara, Civil & Revenue District Bemetara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Samaj Seva Mahandi Bhawan, Naya Mantralaya, Raipur Chhattisgarh
2. Additional Commissioner, Durg, District Durg Chhattisgarh
3. Collector, Bemetara, District Bemetara Chhattisgarh
4. The Sub Divisional Officer, (Revenue) Bemetara, District Bemetara Chhattisgarh
5. Chief Executive Officer, Janpad Panchayat Bemetara, District Bemetara Chhattisgarh
6. Gram Panchayat Dadhi, Through Its Secretary, District Bemetara Chhattisgarh
7. Smt. Sati Lahre, W/o Shri Birendra Lahre, Esthnapan Sarpanch Of Gram Panchayat Dadhi, R/o Village Dadhi, Janpad Panchayat Bemetara , P.S. Bemetara, District Bemetara Chhattisgarh
8. Ganpat Jaiswal, S/o Late Sirdarilal Jaiswal, R/o Village Dadhi, Tahsil - Bemetara, District Bemetara Chhattisgarh
9. Chhanulal Gupta, S/o Late Ruplal Gupta, R/o Village Dadhi, Tahsil - Bemetara, District Bemetara Chhattisgarh
10. Bhagat Kumbhkar, S/o Judawan Kumbhkar, R/o Village Dadhi, Tahsil - Bemetara, District Bemetara Chhattisgarh

---- Respondents

For Petitioners	:	Shri Awadh Tripathi, Advocate
For Respondents No. 1 to 4/State	:	Shri A.V. Shridhar, Panel Lawyer
For Respondent No.7	:	Shri Prateek Sharma, Advocate

Order On Board

07/10/2015

Heard.

1. This petition has been filed by the petitioner against order dated 22.9.2015 with the grievance that even though the petitioner had earlier filed caveat, interim protection was granted to respondent No.7. Thereafter, an application for vacating stay has been filed on number of grounds including the ground that before passing of interim order, the

petitioner had taken over the charge.

2. Be that as it may, it is found that the Commissioner has listed the matter for argument on 27th October, 2015, on which date, the petitioner's application for vacating stay would also be taken into consideration.
3. On that date, the petitioner would be at liberty to raise all the grounds to oppose continuance of interim order passed in favour of respondent No.7 and to pray for vacation of the interim order and the Commissioner shall decide the petitioner's application on the next date of hearing one way or the other. If the petitioner is not satisfied with the order, it will be open for the petitioner to take recourse to such remedy as may be available in the law.
4. It is made clear that this Court has not commented upon merits of the case and it will be open for the Commissioner to decide the application in accordance with law.
5. With the aforesaid observation, the petition is finally disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge