

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1266 of 2015

Smt. Kamla Bai W/o Virendra Kashyap Aged About 37 years R/o Vill- Vyas Nagar, P.O. Nandeli, P.S. & Tah. Pamgarh, Distt. Janjgir Champa, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Panchayat & Social Welfare Department, Mahanadi Bhawan, New Raipur, Tah. & Distt. Raipur, (Chhattisgarh)
2. Sub Divisional Officer (Revenue) Pamgarh, Prescribed Authority, Under Panchayat Raj Adhiniyam, Pamgarh, P.S. & Tah Pamgarh, Distt Janjgir Champa, (Chhattisgarh)
3. Gram Panchayat, Nandeli, Through Secretary, Vill. Nandeli, P.S. & Tah. Pamgarh, Distt. Janjgir Champa (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri H.V. Sharma, Advocate
For Respondent / State	:	Shri Manish Nigam, Panel Lawyer

Order On Board

23/07/2015

This petition has been filed by the petitioner assailing validity of show cause notice by which the petitioner has been asked to show cause as to why the proceedings under Section 92 (4) of the Panchayat Raj Adhiniyam be not initiated against her.

2. Learned counsel for the applicant submits that on material unknown to the petitioner, opinion has been formed and show cause notice has been given. Therefore, the proceedings are empty formality and the authorities have already prejudged the matter.

3. The apprehension on the part of the petitioner is without any basis. The petitioner has been given only a show cause notice. No final decision has been taken by the authorities. The petitioner should first file her reply before the competent authority. In case, there is an adverse order passed after submitting reply, the petitioner would be at liberty to challenge the order in accordance with law. Therefore, I am not inclined to interfere with the show cause notice.

5. The petition is accordingly dismissed.

Manindra Mohan Shrivastava
Judge

Deepti