

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1299 of 2016**

- Gram Panchayat Gandaikala A Body Incorporated Under The Relevant Provision Of Chhattisgarh Panchayat Raj Adhiniyam 1993 Through Its Sarpanch Narendra Kumar S/o Shri Suraj Age About 34 years R/o Gandaikala P. S. Pandatarai P. O. Kharhara Tahsil Bodala, Civil And Revenue District Kabirdham (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Ministry Of Panchayat & Social Welfare Mantralay Naya- Raipur Civil And Revenue District - Raipur (Chhattisgarh)
2. The Collector, Kabirdham, Civil And Revenue District Kabirdham (Chhattisgarh)
3. The Sub- Divisional Officer, (R) Bodala, Civil And Revenue District Kabirdham (Chhattisgarh)
4. The Tahsildar, Bodala, Tahsil Bodala Civil And Revenue District Kabirdham (Chhattisgarh)
5. Vijay S/o Ramji Chandravansi, Aged About 45 Years R/o Gandaikala P. S. Pandatarai P. O. Kharhara Tahsil Bodala, Civil And Revenue District Kabirdham (Chhattisgarh)
6. Shyamji S/o Mohan Chandravanshi, Aged About 60 Years R/o Gandaikala P. S. Pandatarai P. O. Kharhara Tahsil Bodala, Civil And Revenue District Kabirdham (Chhattisgarh)

---- Respondent

For Petitioner : Shri Dinesh Tiwari, Advocate.

For Respondent/State : Shri Ramakant Mishra, Deputy Advocate General.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****14/06/2016**

1. This Writ Petition has been preferred on behalf of Gram Panchayat through Sarpanch.
2. In WPS No.6032/2008 (Sarpanch, Gram Panchayat Salakhiya Vs. Banshidhar Bhoi), decided on 9.2.2016, this Court has held that Sarpanch cannot file a Writ Petition or defend Writ Petition unless he is authorized by Gram Panchayat by passing a resolution.
3. In view of the above, the Writ Petition is not maintainable in its present form. It is accordingly dismissed as not maintainable. However, the Gram Panchayat would be at liberty to move properly constituted writ petition afresh.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve