

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2685 of 2016

- Arvind Kumar Singh S/o Jagat Narayan Singh, Aged About 34 Years R/o Village Chirguda, Post Patna, Tahsil Baikunthpur, District Korla, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through- Secretary, Panchayat And Rural Development Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. Collector, Korla, Baikunthpur, District Korla, (Chhattisgarh)
3. Tahsildar, Tahsil Baikunthpur, District Korla, (Chhattisgarh)
4. Anil Kumar Jaiswal, S/o Late Bihari Lal Jaiswal, Aged About 38 Years R/o Village Chhindiya, Post And Police Station Patna, Janpad Panchayat, Baikuntpur, District Korla, (Chhattisgarh)

---- Respondents

For Petitioner	Shri Shashank Upadhyay, Advocate
For Respondent-State	Shri Shashank Thakur, GA

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

02/11/2016

1. Petitioner's election petition is pending before the Collector, District Korla since 05.03.2015 i.e. for more than one and half years. In the said election petition, the petitioner has called in question the election of respondent No.4 as member of Janpad Panchayat, Baikunthpur. Even though Section 122 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 and the Chhattisgarh Panchayat (Election Petitions, Corrupt Practices

and Disqualification for Membership) Rules, 1995 does not provide for any time schedule for disposal of election petition, yet when an election to a panchayat is called in question, the same has to be disposed of within reasonable time. The order sheets of the proceedings before the Election Tribunal would reveal that on most of the dates the matter is adjourned for the fact that the Presiding Officer is busy in some other official work.

2. Considering the entire facts situation of the case, ends of justice would be served if the writ petition is disposed of with a direction to the Election Tribunal to decide the election petition, at the earliest, preferably within a period of 6 months from the date of presentation of certified copy of this order. It is ordered accordingly.
3. The writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala