

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2738 of 2016

- Smt. Ramkali Raj W/o Babulal Raj, Aged About 50 Years
Sarpanch Gram Panchayat Lalpur, Tahsil Podiuproda,
Distirct Korba Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department
Of Panchayat & Rural Development, Mahanadi Mantralaya,
Naya Raipur Post Office & Police Station Naya Raipur,
District Raipur Chhattisgarh
2. Collector, Korba, Distirct Korba Chhattisgarh
3. Sub Divisional Officer (Revenue)-cum-Prescribed Authority,
Podiuproda, Korba Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat, Podiuproda,
Distirct Korba Chhattisgarh
5. Gram Pancayat, Lalpur, Tahsil Podiuproda, Distirct Korba
Chhattisgarh
6. Smt. Pramila Bai Netam, W/o Pratap Singh, Neti, Aged
About 46 Years Panch Gram Panchayat Lalpur, Tahsil
Podiuproda, District Korba Chhattisgarh

---- Respondents

For Petitioner	Shri Vivek Shrivastava, Advocate
For Respondent-State	Shri A. S. Kachhawaha, Addl. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/11/2016

1. During pendency of proceedings under Section 40 (1) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (henceforth 'the Adhiniyam, 1993') for petitioner's removal from the office of Sarpanch of Gram Panchayat, Lalpur, the SDO (Revenue), Podiuproda has passed the impugned order of suspension in exercise of powers under Section 39 (1) (b) of the Adhiniyam, 1993.
2. The impugned order is appealable before the Appellate Authority under Section 91 of the Adhiniyam, 1993 read with Rule 3 of the Chhattisgarh Panchayat (Appeal and Revision) Rules, 1995.
3. In view of the availability of alternative remedy, this Court is not inclined to entertain this writ petition. It is accordingly dismissed.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala