

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2364 of 2015

Gend Ram Sahu S/o Shri Narad Ram Sahu, Aged About 42
Years Sarpanch, Village Panchayat Kumhari, Block Arang,
Tahsil And Police Station Arang, District Raipur,
(Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department
Of Panchayat And Social Welfare, Mahanadi Bhawan, Naya
Raipur, P.S. Rakhi, Tahsil And District Raipur, (Chhattisgarh)
2. The Collector, District Raipur, (Chhattisgarh)
3. The Sub Divisional Officer (R), Prescribed Officer, Sub
Division Aarang- Abhanpur, District Raipur, (Chhattisgarh)
4. The Chief Executive Officer, Janpad Panchayat, Aarang,
District Raipur, (Chhattisgarh)

---- Respondents

Mr. J.N. Nande, Advocate for the petitioner.
Ms. Tripti Rao, Panel Lawyer for the State/respondents No.1
to 3.
Mr. Raghvendra Pradhan, Advocate appears for proposed
intervenor.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/03/2016

Heard.

1. This petition has been filed by the petitioner aggrieved
by issuance of show cause notice proposing initiation of enquiry
under Section 40 of the Panchayat Raj Adhiniyam.
2. Learned counsel for the petitioner submits that the

show cause notice has been issued to the petitioner in respect of allegations of illegal mining, which is not correct. He submits that the petitioner was never involved. According to him, it was the earlier Sarpanch, who was involved in illegal mining and against him, action was initiated by the competent authority.

3. I find that the petitioner has approached this Court challenging the show cause notice. There is no material on record to show that the charge-sheet has now been issued to the petitioner in the matter.

4. Learned counsel for the respondents brings to the notice of the Court the fact that on 15.03.2016, the petitioner has been suspended.

5. At this stage of show cause notice, no extraordinary ground is made out by the petitioner warranting interference by this Court. As and when charge-sheet is issued to the petitioner, the petitioner would be at liberty to challenge the same on those grounds as may be available to him under the law, before appropriate Forum.

6. As the order of the suspension is not under challenge before this Court, this Court would refrain from making any comments on the correctness and validity of the order.

7. With the aforesaid liberty, the petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge