

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2844 of 2016**

- Smt. Gour Bai Gond W/o Kisan Lal, Aged About 38 Years Sarpanch Gram Panchayat Loharsi, Janpad Panchayat Masturi, District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through : The Secretary, Panchayat & Rural Welfare Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Collector, Bilaspur, District Bilaspur (Chhattisgarh)
3. Sub Divisional Officer (Revenue), Masturi, District Bilaspur (Chhattisgarh)
4. Surendra Tiwari, Up- Sarpanch, Gram Panchayat Loharsi, Janpad Panchayat Masturi, Tahsil Masturi, District Bilaspur (Chhattisgarh)
5. Nandesh Kariya, Secretary, Gram Panchayat Loharsi, Janpad Panchayat Masturi, Tahsil Masturi, District Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Yogesh Chandra, Advocate
For Respondents-State	:	Shri Vinod Deshmukh, Dy. GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/11/2016**

1. Petitioner is aggrieved by the order passed by the Sub-Divisional Officer (R), Masturi, Bilaspur, removing her from the Office of Sarpanch, Gram Panchayat Loharsi, Janpad Panchayat Masturi, District Bilaspur in exercise of powers under Section 40 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (for short 'the Adhiniyam, 1993').
2. The impugned order is appealable under Section 91 of the Adhiniyam, 1993

read with Rule 3 of the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995 (for short 'the Rules, 1995').

3. In view of the availability of alternative remedy, the writ petition is not maintainable. It is accordingly dismissed as not maintainable, subject, however, to the liberty in favour of the petitioner to challenge the order dated 07.10.2016 before the appellate authority within a period of one month from today.
4. Certified copy of the impugned order at page No.17 to 19 be returned to learned counsel for the petitioner after retaining xerox copy thereof.

Sd/-

Judge

Prashant Kumar Mishra

Ashu