

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 306 of 2017**

(Arising out of order dated 21.07.2017 in Writ Petition (C) No. 1412 of 2017 of the learned Single Judge)

- Ashish Pandey S/o Awadh Ram Pandey, Aged About 32 Years Up Sarpanch, Gram Panchayat Dhobahar, Tahsil Marwahi, District Bilaspur (Chhattisgarh), R/o Village Dhobahar, Tahsil Marwahi, District Bilaspur (Chhattisgarh).

---- **Petitioner**

Versus

- State of Chhattisgarh Through Secretary, Department of Panchayat And Rural Welfare, Mahanadi Bhawan, Mantralaya, Capital Complex, New Raipur, District Raipur (Chhattisgarh).
- Collector, Bilaspur, District Bilaspur (Chhattisgarh).
- Sub Divisional Officer (Revenue), Pendra Road, District Bilaspur (Chhattisgarh).
- Dhayan Singh Porte, S/o Late Bishambhar Singh Porte, Aged About 45 Years Sarpanch Gram Panchayat Dhobahar, Tahsil Marwahi, District Bilaspur (Chhattisgarh).
- Jitendra Gupta, Panch, Ward No. 13, Gram Panchayat Dhobahar, Tahsil Marwahi, District Bilaspur (Chhattisgarh).
- Urmila Porte, Panch, Ward No. 02, Gram Panchayat Dhobahar, Tahsil Marwahi, District Bilaspur (Chhattisgarh).

---- **Respondents**

For Petitioner	:	Shri Malay Shrivastava, Advocate
For Respondents No.1 to 3/State	:	Shri U.N.S. Deo, Government Advocate
For Respondent No.4	:	None present
For Respondents No.5 & 6	:	Shri Sanjay Patel, Advocate

Hon'ble Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Justice Sharad Kumar Gupta

Order on Board

Per Thottathil B. Radhakrishnan, Chief Justice

20.09.2017

- This writ appeal is against the order of the learned Single Judge refusing to interfere with the interlocutory order issued by the District Collector before whom a revision was pending under Section 91 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993; for short, "Adhiniyam". Those proceedings are governed by the provisions of the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995.

2. We have heard the learned counsel for the Appellant and the learned counsel for Respondents No.5 & 6 as well as the learned Government Advocate.
3. Now, read the interlocutory order issued on 31.08.2017.
4. The afore-noted interlocutory order was issued refusing to grant any relief sought for by the Appellant at that stage with an intention to have the proceedings pending before the District Collector concluded.
5. Yesterday, it was submitted that the competent authority has confirmed the order of suspension of Respondent No.4 – Sarpanch. With this, the causes of action relatable to the different aspects of the suspension of the Sarpanch and the revisional authority's jurisdiction have changed from what they were while the writ petition was considered and while this writ appeal was concerned on 31.08.2017.
6. In the light of the confirmation of the order of suspension by the competent authority, this writ appeal is ordered directing that the statutory revision or any other proceedings in relation to the suspension of the Sarpanch (Respondent No.4) and the proceedings against him shall be carried to their logical end untrammelled by anything else mentioned in the interlocutory order issued by this Court on 31.08.2017.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge