

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3113 of 2017**

Smt. Sanmani Paikra W/o Lal Bihari, aged about 37 years, Sarpanch, Gram Panchayat, Kunjara, Village Kunjara, Tahsil Kunkuri, District Jashpur, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh Through Secretary, Panchayat, Mahanadi Bhawan, Capital Complex, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Collector, Jashpur, District Jashpur, Chhattisgarh.
3. Sub Divisional Officer, Kunkuri, District Jashpur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Awadh Tripathi, Advocate.
For Respondents/State	:	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/11/17**

1. By the impugned order dated 03.11.2017, the respondent No. 2- Collector, Jashpur has dismissed the appeal preferred by the petitioner and affirmed the order of the Sub-Divisional Officer removing the petitioner from the post of Sarpanch, feeling aggrieved against which this writ petition has been filed by the petitioner.
2. Learned counsel appearing on behalf of the petitioner submit that the impugned order is unsustainable and bad in law and be set aside.
3. On the other hand, learned counsel for the State would submit that the impugned order passed by the Collector rejecting the petitioner's appeal is revisable / appellable before the Commissioner.

4. I have heard learned counsel for the parties.

5. Be that as it may, the petitioner is at liberty to prefer an appeal / revision before the Commissioner within seven days from today along with the application for stay and the Commissioner is directed to consider and decide the application for stay within seven days and the appeal shall be decided within 30 days from the date of receipt of copy of this order after hearing the parties.

6. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge