

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1643 of 2017

- Smt. Sunita Kathautiya W/o Shri Dhaneshwar Kathautiya, Aged About 31 Years Sarpanch Gram Panchayat Tusma, Janpad Panchayat Nawagarh, R/o Village & Post Tusma, Police Station Shivarinarayan, Tahsil Nawagarh, Civil & Revenue District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat & Rural Development Department, Government Of Chhattisgarh, Mahanadi Bhawan, New Raipur, Civil & Revenue District Raipur (Chhattisgarh)
2. Collector, Janjgir, Civil & Revenue District Janjgir Champa (Chhattisgarh)
3. Sub Divisional Officer (Revenue), Janjgir, Civil & Revenue District Janjgir Champa (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Ramesh Nayak, Advocate.
For Respondents/State	:	Shri D.R.Minj, Deputy G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

15/06/2017

1. The order under challenge is 22.05.2017 passed by Respondent No.3 whereby the petitioner has been removed from the post of Sarpanch, Gram Panchayat Tusma, Janpad Panchayat Nawagarh.
2. The impugned order passed by respondent No.3 is an appealable order under Section 91 of the Chattisgarh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993.
3. Since there is statutory alternative remedy available to the petitioner to assail the impugned order, this Court is of the opinion that the present writ petition in its present form as of now is not maintainable and the petition is accordingly rejected, leaving open the right of the petitioner to challenge the same in an appropriate Appellate Authority.
4. In the event of an appeal being filed by the petitioner within a reasonable period, it is expected that the Appellate Authority shall decide the same at the earliest.
5. In view of above, I.A.Nos.02 & 03/2017 stand disposed of.

Sd/-

(P. Sam Koshy)
V. Judge