

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
REVP No. 53 of 2017

Smt. Nirmala Pradhan W/o Raju Pradhan, Aged About 40 Years R/o
 Gohedadar, Post Koliha Devari, P.S. Basana, District Mahasamund,
 Chhattisgarh(Respondent No.5) **---- Petitioner**

Versus

1. Smt. Bhumisuta Sahu W/o Pradeep Sahu, Aged About 32 Years Panch Of Ward No.06, Gram Panchayat Koliha Devari, Janpad Panchayat Basana, District Mahasamund, Chhattisgarh
2. Smt. Hembai W/o Ramchandra, Aged About 45 Years Panch Of Ward No.11, Gram Panchayat Koliha Devari, Janpad Panchayat Basana, District Mahasamund, Chhattisgarh
3. Kedar Nag S/o Santosh Nag, Aged About 32 Years Panch Of Ward No.02, Gram Panchayat Koliha Devari, Janpad Panchayat Basana, District Mahasamund, Chhattisgarh(Petitioners)
4. State Of Chhattisgarh, Through: The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
5. The Collector, Mahasamund, District Mahasamund, Chhattisgarh
6. Sub Divisional Officer & Prescribed Authority, Panchayat Saraipali, District Mahasamund, Chhattisgarh
7. The Tahsildar, Saraipali, District Mahasamund, Chhattisgarh
 (Respondents) **....Respondents**

Petition for review

(By Circulation in Chamber)

Single Bench: Hon'ble Shri Manindra Mohan Shrivastava, J.

(Order passed on 09/05/2017)

1. The review petition has been filed on the ground firstly that the appellant (respondent No.5 in the writ petition) was not served and secondly that the Sub-Divisional Officer has no authority to sub-delegate the power to the Chief Executive Officer for verification and examination of the signatures and submission of report

before the Sub-Divisional Officer. It has also been taken as a ground that the Presiding Officer was changed for conducting the No Confidence Motion.

2. Except an averment made in the review petition, nothing could be shown to disbelieve the service report. Therefore, in view of the service report given by the process server finding that the appellant did not appear despite service of notice, is not liable to be recalled. Relying upon various decisions, it has been held that unless prejudice is caused, irregularities may not vitiate proceeding of No Confidence Motion. No case for review is made out. The Review Petition is dismissed in chamber.

Sd/-
(**Manindra Mohan Shrivastava**)
J U D G E