

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1079 of 2016

- Bhagwati Devi Suryavanshi S/o Gore Lal, Aged About 36 Years
R/o Village Khaira, Tehsil And Block Navagarh, Dist Janjgir
Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary General
Administration Department, Mahanadi Bhawan, Naya Raipur,
Dist Raipur (Chhattisgarh)
2. Commissioner, Bilaspur Division, Bilaspur (Chhattisgarh)
3. Collector, Janjgir Champa, Dist. Janjgir Champa (Chhattisgarh)
4. Sub Divisional Officer (Revenue), Janjgir, Dist. Janjgir Champa
(Chhattisgarh)

---- Respondent

For Petitioner	Mr. Basant Dewangan, Advocate
For Respondent /State	Mr. R. Tripathi, Panel Lawyer
For Respondent / Interveners	Mr. Alok Dewangan, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

10/2/2017

1. Heard.
2. Learned counsel for the petitioner would submit that the
petitioner is the Sarpanch of the Gram Panchayat, Khaira. The
motion of no confidence brought against her was passed by
majority of Panchas on 10.03.2016, against which, the petitioner
has preferred a reference application under Section 21(4) of the

C.G. Panchayat Raj Adhiniyam, 1993 (in short “the Adhiniyam, 1993”), before the concerned Collector, wherein, an interim order was granted in favour of the petitioner, but in a revision preferred by the Panchas before the Commissioner, Bilaspur Division, the interim order passed by the Collector was vacated on 30.03.2016.

3. In the present petition, preferred against the order passed by the Commissioner, Bilaspur Division, an interim order is operative since 18.05.2016.
4. Mr. Alok Dewangan, learned counsel appearing for the interveners (some of them were not arrayed before the Commissioner), who are the Panchas who brought the motion of no confidence, but not been arrayed as respondents in this petition despite filing of the caveat petition, would submit that the Collector may be directed to decide the pending application under Section 21(4) of the Adhiniyam, 1993, at the earliest.
5. Considering the entire facts' situation of the case, the writ petition is disposed of with a direction that the concerned Collector shall decide the application under Section 21(4) of the Adhiniyam, 1993, at the earliest, preferably within a period of 02 months from today.
6. The interim order passed by this Court shall continue during pendency of the application before the Collector.

Sd/-

Judge

(Prashant Kumar Mishra)