

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (C) No.1623 of 2017

- Uma Kumari Tanwar W/o Ram Singh Tanwar, Aged About 42 Years Sarpanch, Gram Panchayat Bokrel, Tahsil Baloda, District Janjgir Champa (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : The Secretary, Panchayat And Social Welfare Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (Chhattisgarh)
2. Collector, Janjgir Champa, Chhattisgarh.
3. Sub Divisional Officer/ Prescribed Authority, Janjgir, District Janjgir Champa (Chhattisgarh)
4. Mohit Ram Milan S/o Ramsai, Caste Satnami, Up- Sarpanch, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
5. Ashok Kumar Kurre S/o Shobha Ram Kurre, Caste Satnami, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
6. Dhaneshwari Bai W/o Keshar Prasad Satnami, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
7. Bhuneshwar Yadav S/o Dilharan Yadav, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
8. Nirmala Bai W/o Mahendra Singh, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
9. Laxmin Bai W/o Amritlal, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
10. Jamuna Bai W/o Rakesh Yadav, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
11. Santara Bai W/o Baraturam, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
12. Naresh Yadav S/o Ramji Yadav, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
13. Brihaspati W/o Krishna Patel, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
14. Bedbai W/o Ramratan Ratre, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
15. Suruj Bai W/o Padum Das Manikpuri, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
16. Laxmin Bai W/o Shyam Lal Satnami, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
17. Firbai W/o Dharam Lal Dhanuvar, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
18. Janaki Bai W/o Mohit Ram Satnami, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)

19. Santosh Kumar S/o Dhan Sai Yadav, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
20. Ram Kumar S/o Ganesh Ram Satnami, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)
21. Ved Kumari W/o Deonarayan Kshatri, Panchas Of Village Panchayat Kokrel Tahsil Baloda, District Janjgir Champa (Chhattisgarh)

-----Respondents

For Petitioner	: Shri NK Chatterjee, Advocate.
For Respondents	: Shri DR Minj, Dy. Govt. Advocate for the State.

Hon'ble Shri Justice P. Sam Koshy
Order On Board

On 13.06.2017.

By filing this writ petition, the petitioner is seeking for direction to the respondent that till the decision of a pending appeal of the petitioner before the Collector, Janjgir-Champa, proceedings of by-election to be held on 18.6.2017 may be kept in abeyance.

2. Learned counsel for the petitioner submits that on earlier occasion he has filed Writ Petition No.1261/2017 wherein this Court has disposed of the said writ petition with an observation that the Collector shall make all endeavour to decide the issue as early as possible. According to the petitioner, the Collection has not taken any decision in the appeal of the petitioner till date and the date of by-election is fast approaching. Hence, direction may be issued to the Collector, Janjgir Champa i.e. respondent No.2 to take a decision in the appeal or the interim application pending before the appellate Court before 18.6.2017.

3. Counsel for the State does not oppose the limited prayer made by

the petitioner.

4. The instant petition stands disposed of with a specific direction to respondent No.2, i.e. Collector, Janjgir-Champa to take a decision in the pending appeal filed by the petitioner by 18.6.2017. If respondent No.2 is however not in a position to decide the appeal before 18.6.2017, it shall be open for him to decide the application for interim relief which is also pending before him.

5. With the aforesaid observations, the present petition stands disposed of.

Sd/-
(P. Sam Koshy)
Vacation Judge

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