

HIGH COURT OF CHHATTISGARH AT BILASPURWPC No. 375 of 2018

1. Indermani Agaria W/o Radheshyam Agaria, Aged About 28 Years, Panch Of Gram Panchayat- Kharra (Ward No. 02).
2. Shanti Singh Gond W/o Kripal Singh Gond, Aged About 30 Years, Panch Of Gram Panchayat- Kharra (Ward No. 03).
3. Bhudhmania W/o Babulal Gond, Aged About 38 Years, Panch Of Gram Panchayat- Kharra (Ward No. 01).
4. Mateshwari W/o Ranglesh Gurjari, Aged About 32 Years, Panch Of Gram Panchayat- Kharra (Ward No. 09).
5. Rambai Devangan W/o Ramlakhan Devangan, Aged About 62 Years, Panch Of Gram Panchayat- Kharra (Ward No. 07).
6. Kailasho Pando W/o Ramroop Pando, Aged About 48 Years, Panch Of Gram Panchayat- Kharra (Ward No. 11).
7. Budhu Ram S/o Shivbhajan Ram Gond, Aged About 29 Years, Panch Of Gram Panchayat- Kharra (Ward No. 04).
8. Krishna Kumar Gurjar S/o Late Kripanidhar, Aged About 40 Years, Panch Of Gram Panchayat- Kharra (Ward No. 06).
9. Subaran Gond S/o Purshottam Gond, Aged About 36 Years, Panch Of Gram Panchayat- Kharra (Ward No. 15).
10. Kailash Chand S/o Ramtahal Pando, Aged About 24 Years, Panch Of Gram Panchayat- Kharra (Ward No. 13).
11. Virendra Gurjar S/o Niresh Ram, Aged About 45 Years, Panch Of Gram Panchayat- Kharra (Ward No. 08).

All are R/o. Village Kharra, P.S. And Tehsil Odagi, District Surajpur (Chhattisgarh).

---Petitioners

Versus

1. State Of Chhattisgarh, Through Secretary, Panchayat And Rural Administrative Department, Mahanadi Bhawan, Naya Raipur, Revenue And Civil District Raipur (Chhattisgarh).
2. Collector Surajpur, Revenue And Civil District Surajpur (Chhattisgarh).
3. Sub Divisional Officer (Revenue) Cum- Prescribed Authority Bhaiyathan, Revenue And Civil District Surajpur (Chhattisgarh).
4. Zila Panchayat Surajpur, Through Chief Executive Officer, Revenue And Civil District Surajpur (Chhattisgarh).
5. Janpad Panchayat Odagi, Through Chief Executive Officer, Revenue And Civil District Surajpur (Chhattisgarh).

6. Assistant Internal Account Audit And Taxation Officer, Janpad Panchayat Odagi, Revenue And Civil District Surajpur (Chhattisgarh).
7. Meena Dewangan W/o Ramtaras Dewangan, Presently Sarpanch Of Gram Panchayat Kharra, R/o. Village Kharra, Janpad Panchayat Odagi, P.S. Odagi, Tahsil Odagi, District Surajpur (Chhattisgarh).
8. Gram Panchayat Kharra, Through Secretary, Tehsil Odagi, District Surajpur (Chhattisgarh).

---Respondents

For petitioners	:	Shri Surfaraj Khan, Advocate.
For respondents No. 1, 2 & 3	:	Shri Gary Mukhopadhyay, Government Advocate.

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

19/02/2018

1. The limited grievance of the petitioners is that, all the petitioners before the Writ Court are the Panchas appointed from different wards in Gram Panchayat, Kharra, Tehsil Odagi, District Surajpur (C.G.) and who have made serious allegations against the respondent No.7 who is the Sarpanch of the said Gram Panchayat.
2. Though, the complaint has been made to the respondent No.3 – Sub Divisional Officer (Revenue) in his capacity as competent authority under the Chhattisgarh Panchayat Raj Adhiniyam, 1993, but the respondent No.3 has not taken any steps in deciding the said complaint.
3. The counsel for the petitioners submits that, by efflux of time, the respondent No.7 may complete her tenure and would also meanwhile continue with all the illegal activities that she was otherwise undertaking and which has been highlighted in the complaint. He further submits that, two specific F.I.R. have also been lodged against the respondent No.7 by the

petitioners. Given the said circumstances he submits that, suitable directions be issued by this Court to the respondent No.3 to act upon the complaint which has been lodged and on due verification, he may pass an appropriate order.

4. The State counsel does not have any objection for the limited prayer which has been made by the counsel for the petitioners.

5. Given the facts and circumstances of the case, particularly, the seriousness of the allegations which have been levelled against the respondent No.7, this Court is of the opinion that ends of justice would meet if, the direction is given to the respondent No.3 – the competent authority under the provision of Chhattisgarh Panchayat Raj Adhiniyam, 1993 so far as Gram Panchayat, Kharra, Tehsil Odagi, District Surajpur (C.G.) is concerned on due verification to take appropriate decision on the complaint at the earliest preferably within a period of 90 days from the date of receipt of the copy of this order. It shall be the duty of the petitioners to serve a copy of this order to the respondent No.3 along with a copy of this petition.

6. The Writ Petition stands disposed off.

Sd/-

(P. Sam Koshy)
JUDGE