

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 828 of 2018**

Smt. Pushpa Chauhan W/o Shr Uttar Kumar Chauhan, Aged About 35 Years
Elected Sarpanch Of Gram Panchayat Sakartunga, R/o Village Sakartunga,
Block And Tahsil Baramkela, District Raigarh Chhattisgarh., District :
Raigarh, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. The Upper Commissioner, Bilaspur Division, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. The Collector, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
4. Sub Divisional Officer (Revenue) / Prescribed Officer (Panchayat), Sarangarh, District Raigarh Chhattisgarh.
5. The Chief Executive Officer, Janpad Panchayat Baramkela, District Raigarh Chhattisgarh.
6. Roopdhar Patel S/o Shri Chintamani Patel, Aged About 40 Years "Member Of Janpad Panchayat Baramkela" R/o Village Danighati, Block And Tahsil Baramkela, District Raigarh Chhattisgarh.
7. Maheshram Chauhan, Secretary, Gram Panchayat Sakartunga, Tahsil Baramkela, District Raigarh Chhattisgarh.
8. Bholaram Patel, Ex-Secretary, Gram Panchayat Sakartunga, Tahsil Baramkela, District Raigarh Chhattisgarh.

---- **Respondents**

For Petitioners	:	Mr. Roop Naik, Advocate.
For State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/03/18**

Heard.

2. The petitioner was removed from the post of Sarpanch under Section 40 of the Panchayat Raj Adhiniyam, 1993 by order dated 30.11.2017 which was set aside by the Collector in an appeal preferred by the petitioner by order dated 26.02.2018 against which revision was preferred by the respondent No. 6, whereby the learned Commissioner by its order dated 06.03.2018 (Annexure – P/1) has stayed the order of Collector, aggrieved against which this writ petition has been preferred by the petitioner.

2. Learned counsel appearing for the petitioner would submit that the impugned order passed by the Commissioner is unsustainable and bad in law and is liable to be set aside.

3. On the other hand, learned State counsel would oppose the submissions made by counsel for the petitioner and would support the order impugned.

4. After hearing learned counsel for the petitioner and the State, I am of the opinion that the ends of justice will be served if the Commissioner is directed to hear and dispose of the revision preferred by the private respondent expeditiously preferably within a period of three weeks from today after hearing both the parties.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)

Judge