

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No.1466 of 2018**

Kishore Sahu son of Dinbandhu Sahu, Aged About 48 Years, Sarpanch of Village Panchayat Ankori, Tahsil Basna, District-Mahasamund Chhattisgarh

---Petitioner**Versus**

- 1.** State Of Chhattisgarh Through The Secretary, Panchayat and Rural Development Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur (CG)
- 2.** Collector, Mahasamund, District Mahasamund (CG)
- 3.** Sub Divisional Officer, Revenue, Saraipali, District Mahasamund (CG)
- 4.** Tahsildar-Cum-Presiding Officer, Basna, District Mahasamund (CG)
- 5.** Kunti Sidar, wife of Rup Singh Sidar, aged about 51 Years Panch, R/o. Village Ankori, Tahsil Basna, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh
- 6.** Kunti Nishad, wife of Bhimsen Nishad Aged About 36 Years, Panch
- 7.** Pitru Ram Sidar, son of Bhagirathi, aged About 64 Years, Panch
- 8.** Laxmi Shrijal wife of Makardhwaj, aged about 35 Years, Panch, R/o. Village Ankori, Tahsil Basna, District Mahasamund Chhattisgarh., District : Mahasamund, Chhattisgarh
- 9.** Laxmi Bai, wife of Shiv Kumar Sidar, aged about 33 Years, Panch,
- 10.** Sunil Pradhan, S/o Souki Lal, Aged About 30 Years Panch,
- 11.** Savita Dadsena, wife of Ishwar Dadsena, Aged About 34 Years Panch,
- 12.** Basanta Rathore wife of Abhimanyu, Aged About 40 Years Panch,
- 13.** Santoshi Nayak wife of Shobha Ram Nayak, Aged About 32 Years Panch,

No.5 to 13 R/o. Village Ankori, Tahsil Basna, District Mahasamund (CG)

---Respondents

For Petitioner	: Mr.Praveen Dhurandhar, Advocate
For Respondents No.1 to 4	: Mr.Arun Sao, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/05/2018

1. The petitioner is Sarpanch of Gram Panchayat Ankori, Tahsil Basna, Sub-Division Saraipali, District Mahasamund. Panchas of Gram Panchayat Ankori have moved 'No Confidence Motion' against the petitioner before the Sub-Divisional Officer (Revenue), Saraipali, which has been questioned in this writ petition.
2. Learned counsel for the petitioner would submit that the Sub-Divisional Officer (Revenue), Saraipali has no jurisdiction to entertain 'No Confidence Motion' against the petitioner as Sub Divisional Officer also sits as Link Court at Basna relying upon the notification dated 16th March, 1999 in which Basna has been constituted as block and its headquarter is at Basna.
3. Learned Deputy Advocate General for respondents No.1 to 4 would submit that Gram Panchayat Ankori comes within the territorial jurisdiction of Sub-Division Saraipali and Basna has not been constituted as Sub-Division and therefore, 'No Confidence Motion' has rightly been entertained by the Sub-Divisional Officer (Revenue), Saraipali.
4. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also gone through the records with utmost circumspection.
5. Undauntedly, Gram Panchayat Ankori comes within the

territorial jurisdiction of Sub-Division Saraipali and Basna has not been constituted as Sub-Division till now, therefore, Sub-Divisional Officer (Revenue), Saraipali has jurisdiction and authority to entertain 'No Confidence Motion' of Gram Panchayat Ankori. Holding Link Court at Basna for administrative convenience and for disposal of revenue cases. It cannot be held that the Sub-Divisional Officer (Revenue), Saraipali is not competent to entertain 'No Confidence Motion'.

- 6.** I do not find any merit in this writ petition. Accordingly, the writ petition deserves to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-