

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1604 of 2018**

Lakshwantin Bai, W/o Sitaram Sahu, aged about 50 years, Ex-Sarpanch
Gram Panchayat Navagaon Khurd, R/o village Nawagaon Khurd Janpad
Panchayat Sahaspur Lohara, District - Kabirdham

----Petitioner

Versus

1. State of Chhattisgarh, Through – The Secretary, Department of Panchayat and Rural Development, Mantralaya, Mahanadi Bhavan, New Raipur, District Raipur (C.G.)
2. The Collector, Kawardha, Distt. - Kabirdham (C.G.)
3. Sub Divisional Officer, Kawardha, Distt. Kabirdham (C.G.)
4. Chief Executive Officer, Janpad Panchayat Sahaspur Lohara, Distt.- Kabirdham (C.G.)
5. Parshottam, son of Paras Ram Thethwar Gram Panchayat Nawagaon Khurd Janpad Panchayat Sahaspur Lohara, District- Kabirdham (C.G.)
6. Lilaram Patil, son of Devlal Patil, Gram Panchayat Nawagaon Khurd Janpad Panchayat Sahaspur Lohara, District – Kabirdham (C.G.)
7. Jakir, son of Safrutdin, Gram Panchayat Nawagaon Khurd Janpad Panchayat Sahaspur Lohara, District Kabirdham (C.G.)
8. Nasir Mohammed, son of Klam, Gram Panchayat Nawagaon Khurd Janpad Panchayat Sahaspur Lohara, District – Kabirdham (C.G.)
9. Onkar, son of Lukan Sen, Gram Panchayat Nawagaon Khurd Janpad Panchayat Sahaspur Lohara, District Kabirdham (C.G.)
10. Vajuel Khan, son of Sahmeer Khan, Gram Panchayat Nawagaon Khurd, Janpad Panchayat Sahaspur Lohara, District Kabirdham (C.G.)
11. Bisahu Gond, son of Lakhan Gond, Gram Panchayat Nawagaon Khurd, Janpad Panchayat Sahaspur Lohara, Distt. Kabirdham (C.G.)

---- Respondents.

For Petitioner	:	Mr. Ajit Singh, Advocate
For State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****19/06/2018**

(1) Learned counsel appearing for the petitioner would submit that the petitioner was removed from the post of Sarpanch of Gram Panchayat Navagaon Khurd by the Sub Divisional Officer (Revenue). The petitioner preferred appeal thereagainst before the Collector. The appeal has been allowed by the Collector and the matter has been remitted to the Sub Divisional Officer (Revenue) for consideration, which is pending consideration. In the meanwhile, on 31.05.2018, election to the post of Gram Panchayat – Navagaonkhurd has been notified by the Collector, Kabirdham and if the election is allowed to be held, the proceeding pending before the Collector would become infructuous.

(2) Per contra, counsel for the State would support the impugned order.

(3) I have heard learned counsel appearing for the parties.

(4) Since the proceeding is pending consideration before the Sub Divisional Officer (Revenue), therefore, the Collector, Kabirdham is directed not to fill up the said post till the proceeding is finally decided by the SDO (Revenue) and the Collector may proceed further depending upon the final outcome of the proceeding pending before the SDO (R).

(5) With the aforesaid observation, the writ petition stands finally disposed of. However, if the respondents are aggrieved by this order, the respondents are free to challenge the same in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

