

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2031 of 2018**

Bhuneshwar Yadav S/o Shri Jagdish Yadav, Aged About 40 Years,
Sarpanch, Gram Panchayat Sirsa Khurd, R/o Village - Sirsa Khurd, Tahsil
And District Durg Chhattisgarh. **---- Petitioner**

Versus

1. The State Of Chhattisgarh Through The Secretary Department Of Panchayat, New Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
2. The Chief Executive Officer Zila Panchayat - Durg, District Durg Chhattisgarh.
3. The Chief Executive Officer, Janpad Panchayat - Sirsakhurd, Tahsil And District Durg Chhattisgarh.
4. The Sub Divisional Officer (Rev.) Sub Division Durg, District Durg Chhattisgarh. **---- Respondents**

For Petitioner	:	Mr. Rahul Tamaskar, Advocate.
For Respondents/State	:	Mr. Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****24/07/18**

1. The show cause notice was issued against the petitioner by Sub-Divisional Officer (Revenue), Durg on 04.07.2018 (Annexure – P/1) under Section 14(1) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (for brevity, 'Act of 1993') against which this writ petition has been filed by the petitioner stating that the authority has already conducted an enquiry and formed an opinion.
2. Learned State counsel submits that it is only a show cause notice and the preliminary enquiry has been conducted only to consider whether a case under Section 40 of the Act of 1993 can be initiated or not.
3. I have heard learned counsel for the parties and perused the show cause notice with utmost circumspection.

4. Since, it is only a show cause notice and no opinion has been formed, it cannot be held to be without jurisdiction and without authority of law. The petitioner is directed to file reply to the said show cause notice within three weeks from today raising all the grounds before the Sub-Divisional Officer (Revenue), Durg which will be considered by the said authority strictly in accordance with law, expeditiously.

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

SD/-

(Sanjay K. Agrawal)
Judge