

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2054 of 2018**

Smt. Ratna Bai Chauhan W/o Shri Pancham Chauhan, Aged About 34 Years, R/o Village And Post Akalsara, Police Station Baradwar Tahsil Jaijaipur, Civil And Revenue District Janjgri Champa Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Naya Raipur Civil And Revenue District Raipur Chhattisgarh.
2. Collector Janjgir, Civil And Revenue District Janjgir Champa Chhattisgarh.
3. Sub - Divisional Officer (Revenue) Sakti / Competent Authority, Civil And Revenue District Janjgir Champa Chhattisgarh.
4. Presiding Officer And Tahsildar Jaijaipur, Civil And Revenue District Janjgir Champa Chhattisgarh.
5. Smt. Kanti Bai Sonwani W/o Shri Maniram Sonwani, Aged About 38 Years, Panch Ward No. 01, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
6. Smt. Sushila Bai Sonwani W/o Shri Lalaram Sonwani, Aged About 33 Years, Panch Ward No. 02, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
7. Smt. Chhat Bai Netam W/o Shri Maheshwar Singh Netam, Aged About 32 Years, Panch Ward No. 03, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
8. Mahendra Gond S/o Shri Anandram Gond, Aged About 40 Years, Panch Ward No. 04, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
9. Shivcharan Tandon S/o Shri Nanhuram Tandon, Aged About 41 Years, Panch Ward No. 05, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
10. Chhabi Singh Sidar S/o Shri Lilambar Sidar, Aged About 30 Years, Panch Ward No. 06, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur , R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.

11. Smt. Parvati Jagat W/o Shri Lalan Singh Jagat, Aged About 45 Years, Panch Ward No. 07, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
12. Smt. Dezi Chandra W/o Shri Rajkumar Chandra, Aged About 32 Years, Panch Ward No. 08, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
13. Shyamlal Sidar S/o Shri Ghasiya Ram Sidar, Aged About 50 Years, Panch Ward No. 09, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
14. Smt. Putri Bai Sidar W/o Shri Fuleshwar Sidar, Aged About 26 Years, Panch Ward No. 10, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
15. Smt. Hembai Chandra W/o Shri Ramadhar Chandra, Aged About 34 Years, Panch Ward No. 11, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
16. Smt. Saroj Bai Gond W/o Shri Raesh Kumar Gond, Aged About 31 Years, Panch Ward No. 12, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue, District : Janjgir-Champa, Chhattisgarh
17. Bhuneshwar Chandra S/o Shri Kanhaiya Chandra, Aged About 27 Years, Panch Ward No. 13, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
18. Suresh Kumar Sidar S/o Shri Rendhiya Sidar Aged About 28 Years Panch Ward No. 14, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
19. Dinesh Kumar Chandra S/o Shri Paltan Singh Chandra, Aged About 45 Years, Panch Ward No. 15, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
20. Nand Kumari Bhaina D/o Shri Darsham Bhaina, Aged About 25 Years, Panch Ward No. 16, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue District Janjgir Champa Chhattisgarh.
21. Santosh Kumar Bhaina S/o Shri Tirithram Bhaina, Aged About 41 Years, Panch Ward No. 17, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue, District : Janjgir-Champa, Chhattisgarh.

22. Rajendra Kumar Chandra S/o Shri Khijiram Chandra, Aged About 35 Years, Panch Ward No. 18, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue, District : Janjgir-Champa, Chhattisgarh
23. Smt. Sarswati W/o Late Shri Bharat Lal Chandra, Aged About 62 Years, Panch Ward No. 19, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur, R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue, District : Janjgir-Champa, Chhattisgarh
24. Smt. Mandavi Chandra W/o Shri Surendra Chandra, Aged About 45 Years, Panch Ward No. 20, Gram Panchayat Akalsara, Janpad Panchayat Jaijaipur , R/o Village And Post Akalsara, Police Station Baradwar, Tahsil Jaijaipur Civil And Revenue, District Janjgir Champa Chhattisgarh.

---- Respondents

For Petitioner : Mr. Ramesh Kumar Nayak, Advocate.
For Respondents / State : Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

26/07/18

1. Learned counsel for the petitioner submits that No Confidence Motion against the petitioner was passed without serving notice to the petitioner and, therefore, the motion passed against him be set aside.
2. Learned State counsel submits that against the No Confidence Motion, alternative remedy under Section 21(4) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 is available to the petitioner.
3. I have heard learned counsel for the parties.
4. Since, the petitioner has an alternative remedy of raising dispute under Section 21(4) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993, this Court is not inclined to entertain the writ petition. However, the petitioner would be at liberty to raise all the disputes before the Collector, Janjgir Champa in accordance with law within seven days from today that will be considered and decided by the said authority 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