

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2830 of 2018**

1. Vrindra Lal Dhivar S/o Shri Ganesh Ram Dhivar, Aged About 53 Years R/o Village, Post Office, Police Station And Tahsil Malkharauda, Civil And Revenue District Janjgir Champa Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Mahanadi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh
2. Additional Commissioner, Bilaspur Division Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh
3. Collector Janjgir, Civil And Revenue District Janjgir Champa Chhattisgarh.
4. Sub Divisional Officer (Revenue) Sakti, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Respondent

For Petitioner
For Respondent/State

Shri Ramesh Nayak, Advocate
Shri Sameer Behar, Panel Lawyer

Order On Board**By****Prashant Kumar Mishra, J.****08/10/2018**

1. The petitioner has been removed from the office of the Sarpanch, Gram Panchayat Malkharauda, by order dated 10-5-2018 passed by the Sub Divisional Officer (Revenue), Sakti, District Janjgir-Champa in exercise of powers under Section 40 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993.

2. In appeal before the Collector, Janjgir-Champa, prayer for stay was refused, however, the Additional Commissioner, Bilaspur Division, allowed the stay in petitioner's favour. Thereafter, the writ petition was preferred in which the Collector, Janjgir-Champa was directed to decide the petitioner's appeal expeditiously.
3. In appeal preferred by the petitioner, the Collector, Janjgir-Champa maintained the order of removal in its order dated 20-8-2018 against which petitioner's revision is pending consideration before the Additional Commissioner, Bilaspur Division and in the said proceedings by the order impugned dated 17-9-2018 prayer for grant of stay has been rejected.
4. Considering the fact that the petitioner was allowed interim relief during pendency of the appeal before the Collector, ends of justice would be served if the Additional Commissioner, Bilaspur Division is directed to consider and decide the petitioner's revision application, in accordance with law and on its own merits, within a period of six weeks from today. During this period of six weeks the order of removal passed against the petitioner shall remain stayed.
5. With the aforesaid observations and directions the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri