

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3145 of 2018

- Siyaram Kathautiya S/o Shri Bundram Kathautiya Aged About 65 Years R/o Village And Post Tusma, Police Station Shivarinarayan, Tahsil Nawagarh, Civi 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., District : Raipur, Chhattisgarh
2. Collector Janjgir, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue) Janjgir, Civil And Revenue District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Smt. Malti Kathautiya W/o Shri Bhardwaj Kathautiya Aged About 35 Years Panch Ward No. 07, Gram Panchayat Tusma, Janpad Panchayat Nawagarh, R/o Village And Post Tusma, Police Station Shivrinarayan, Tahsil Nawagarh, Civil And Revenue District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

WPC No. 2994 of 2018

- Jitendra Sahu S/o Shri Ramkisun Sahu Aged About 46 Years R/o Village And Post Tusma, Police Station Shivarinarayan, Tahsil Nawagarh, 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., District : Raipur, Chhattisgarh
2. Collector Janjgir Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue) Janjgir, Civil And Revenue District- Janjgir, Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Shri Gajendra Sahu S/o Shri Dwarika Prasad Sahu Aged About 33 Years Panch Ward No.14, Gram Panchayat Tushma, R/o Village And Post Tusma, Police Station Shivarinarayan, Tahsil-Nawagarh, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-

Champa, Chhattisgarh

---- Respondent

For Petitioners
For Respondent-State

Shri R. K. Nayak, Advocate
Shri Shashank Thakur, GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

14/11/2018

1. Petitioners' application for recalling of the office bearer of the Gram Panchayat Tusma, Janpad Panchayat Navagarh has been rejected on the ground that rules have not been framed prescribing procedure for recall of office bearers of the Panchayat as contemplated under Section 21 (A) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993.
2. It appears, the petitioners are not at fault if the State Government has not framed the rules.
3. Let the State Government take steps to frame rules prescribing procedure for recall of the office bearers of the Panchayat as provided under Section 21 (A) of the Adhiniyam, 1993 within a period of 3 months from today.
4. Immediately after the promulgation of the rules, the petitioners would be entitled to move afresh before the concerned SDO (Revenue).
5. The writ petitions stand disposed of.

Sd/-
Prashant Kumar Mishra
Judge

Nirala