

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 3185 of 2018**

1. Mo. Anis Solanki S/o Mr. Haneef Solanki, Aged About 40 Years Presently Panch Of Ward No. 19, Gram Panchayat, Mainpur Khurd, District Gariyaband
2. Virendra Shrivastava, S/o Mr. Ramkumar, Aged About 50 Years Presently Panch Of Ward No. 12, Gram Panchayat, Mainpur, Khurd, District Gariyaband
3. Baldevram, S/o Mr. Dayaram Thakur, Aged About 38 Years Presently Panch Of Ward No. 17, Gram Panchayat, Mainpur, Khurd, District Gariyaband
4. Rupesh Kashyap, S/o Mr. Puran Kashyap, Aged About 30 Years Presently Panch Of Ward No. 15, Gram Panchayat, Mainpur, Khurd, District Gariyaband
5. Smt. Kasturabai, W/o Mr. Radhelal, Aged About 48 Years Presently Panch Of Ward No. 7, Gram Panchayat, Mainpur, Khurd, District Gariyaband
6. Smt. Saraswati Sinha, W/o Yogendra Sinha, Aged About 44 Years Presently Panch Of Ward No. 6, Gram Panchayat, Mainpur, Khurd, District Gariyaband
7. Smt. Pavitra Bambode, W/o M Mahesh Bombode, Aged About 43 Years Presently Panch Of Ward No. 11, Gram Panchayat, Mainpur, Khurd, District Gariyaband
8. Balobai, W/o M. Roshan, Aged About 40 Years Presently Panch Of Ward No. 14, Gram Panchayat, Mainpur, Khurd, District Gariyaband
9. Smt. Bishakha Bai, W/o Mr. Balkrishana, Aged About 42 Years Panch Of Ward No. 20, Gram Panchayat, Mainpur, Khurd, District Gariyaband
10. Smt. Kunti Bai W/o Mr. Harishankar Aged About 34 Years Presently Panch Of Ward No. 18, Gram Panchayat, Mainpur, Khurd, District Gariyaband
11. Smt. Jogini Pandey, W/o Dilbar Pandey, Aged About 52 Years Presently Panch Of Ward No. 4, Gram Panchayat, Mainpur, Khurd, District Gariyaband
12. Ku. Aarti Dhruw, D/o Mr. Nathuram Dhruw, Aged About 32 Years Presently Panch Of Ward No. 8, Gram Panchayat, Mainpur, Khurd, District Gariyaband

13. Baliyar Singh, S/o Mr. Mukund Singh, Aged About 30 Years
Presently Panch Of Ward No. 9, Gram Panchayat, Mainpur,
Khurd, District Gariyaband
14. Brijlal Sonwani S/o Mr. Bisahu Ram, Aged About 47 Years
Presently Panch Of Ward No. 16, Gram Panchayat, Mainpur,
Khurd, District Gariyaband
15. Smt. Kumar Bai, W/o Amrit Lal Yadav, Aged About 45 Years
Panch Of Ward No. 13, Gram Panchayat, Mainpur, Khurd, District
Gariyaband

---- Petitioner

Versus

1. State Of Chhattisgarh Through Ministry Of Panchayat Raj And
Rural Development, Mahandi Bhavan, Capital Complex, Naya
Raipur Chhattisgarh
2. Commissioner/ Additional Commissioner, Raipur Division, Raipur
Division, Raipur, Chhattisgarh
3. Collector, Gariyaband Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat Mainpur, Tehsil
Mainpur, District Gariyaband Chhattisgarh
5. Sub Divisional Officer (Revenue), Devbhog (Prescribed Power),
Devbhog, Gariyaband Chhattisgarh
6. Tehsildar, Tehsil Mainpur, District Gariyaband Chhattisgarh
7. Smt. Sarita Soni, W/o Yogesh Sen, Aged About 28 Years Mainpur
Khurd, Tehsil Mainpur, District Gariyaband Chhattisgarh

---- Respondent

For Petitioners	Mr. Raza Ali, Advocate
For Respondent /State	Mrs. Astha Shukla, Panel Lawyer

Order On Board By

Hon'ble Mr. Justice Prashant Kumar Mishra

26/11/2018

1. Heard.

2. Although this Court has settled in the matter of **Chetan Kurre Vs. State of Chhattisgarh, AIR 2017 Chhattisgarh 100**, that a motion of no confidence having once carried out by a majority of votes, the same cannot be stayed by the Superior Court, however, in the case at hand, when the Additional Commissioner passed the order on 19.9.2018, the petitioners did not move before this Court immediately and in the meanwhile, the impugned order has been given effect to by handing over the charge of the office of Sarpanch to respondent No.7.
3. Therefore, ends of justice would be served if the writ petition is disposed of directing the Additional Commissioner to consider and decide the Revision Application pending before it, at the earliest, preferably within a period of 4 weeks from today.
4. It is ordered accordingly.
5. Learned counsel for the petitioner as well as learned State Counsel shall inform the Additional Commissioner about this order within 3 days.
6. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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