

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3320 of 2018

- Jagnarayan Yadav S/o Shri Shivismurat Yadav Aged About 48 Years Posted As Panchayat Secretary (Now Suspended), Gram Panchayat Bhadiya, Janpad Panchayat Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Sub Divisional Officer (Revenue) Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
3. The Chief Executive Officer Janpad Panchayat Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
4. Fulsai S/o Harilal Officiating Sarpanch Gram Panchayat, Bhadiya, Janpad Panchayat, Bagicha, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondent

For Petitioner
For Respondent-State

Shri J. K. Saxena, Advocate
Ms. Astha Shukla, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

05/12/2018

1. Proceedings under Section 40 (1) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 (for short the Adhiniyam, 1993) are pending against the officiating Sarpanch of Gram Panchayat, Bhadiya, Janpad Panchayat, Bagicha, District Jashpur. In the said proceedings, the petitioner has also been noticed, however, the evidence of the parties has not commenced for the reason that

on some dates the Presiding Officer was on leave, but on some other dates the petitioner and the Sarpanch sought time to produce evidence.

2. Perusal of the order sheet would not disclose that the SDO has kept the proceedings pending despite insistence by the petitioner to conclude the same at the earliest. Had it been a case that the petitioner or the Sarpanch had produced the evidence yet the Presiding Officer refused to examine them and adjourned the matter, the petitioner may have a complaint that the proceedings have been unnecessarily kept pending.
3. Let the petitioner and the Sarpanch produce evidence before the SDO (Revenue), Bagicha, District Jashpur and make a prayer for urgent hearing. If the petitioner cooperates, the SDO (Revenue) may decide the matter expeditiously.
4. The writ petition stands disposed of.

Sd/-
Prashant Kumar Mishra
Judge

Nirala