

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 473 of 2019

- Girdhari Patel, S/o Late Shri Harishankar Patel, Aged About 25 Years, Up-Sarpanch of Gram Panchayat, Kotmi, R/o Village and Post Kotmi, Tahsil Dabhara, District- Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, through the Collector, Janjgir-Champa, Chhattisgarh
2. Chief Executive Officer, Jila Panchayat, Janjgir-Champa, District- Janjgir-Champa, Chhattisgarh
3. Sub Divisional Officer (Revenue), Dabhra, Janjgir-Champa, Chhattisgarh
4. Chief Executive Officer, Janpad Panchayat, Dabhra, District- Janjgir-Champa, Chhattisgarh
5. Awadh Ram Sidar, Sarpanch, S/o Shri Milan Sidar, Aged About 31 Years, R/o Village Kotmi, Tahsil Dabhra, District- Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner
For Respondent-State

Shri Banhiman Roy, Advocate
Shri Sudeep Verma, Dy. GA

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

18/02/2019

1. Petitioner, Upsarpanch of Gram Panchayat Kotmi, Janpad Panchayat Dabhra, District Janjgir-Champa, has filed this petition seeking direction to initiate proceedings against the respondent No.5 for his suspension and removal under Section 39 and 40 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993.

2. From the documents annexed to the writ petition, it does not appear that on petitioner's complaint, any action is contemplated against the respondent No.5. Only for the reason that the petitioner happens to be the Upsarpanch of the said Gram Panchayat, he cannot maintain a petition in the present form, as his rights are not affected neither the petitioner claims any relief individual to him in this writ petition.
3. The writ petition is dismissed as not maintainable in its present format reserving liberty in favour of the petitioner to move a duly constituted WP (PIL) in accordance with the Rules of the Court.

Sd/-
Prashant Kumar Mishra
Judge

Nirala