

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 203 of 2019**

1. Smt. Parwati Lahre W/o Shri Premshankar Lahre Aged About 33 Years R/o Village Mudpar (Chu), Post Rasouta, Police Station And Tahsil Pamgarh, Civil And Revenue District Janjgir Champa Chhattisgarh
2. Premshankar Lahre S/o Shri Kondaram Lahre Aged About 31 Years R/o Village Mudpar, Chu, Post Rasouta, Police Station And Tahsil Pamgarh, Civil And Revenue District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. Shri R.P. Mandal (IAS), Additional Chief Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh Atal Nagar, Naya Raipur, Civil And Revenue District Raipur Chhattisgarh
2. Shri Neeraj Kumar Bansod (IAS) Collector Janjgir, Civil And Revenue District Janjgir Champa Chhattisgarh.
3. Shri Sagar Singh Sub Divisional Officer (Revenue) Pamgarh, Civil And Revenue District Janjgir Champa Chhattisgarh.

---- Respondent

For Petitioners
For Respondents

Shri Ramesh Nayak, Advocate
Shri Anup Mazumdar, Advocate

Hon'ble Shri Prashant Kumar Mishra, Ag.CJ
Hon'ble Shri Parth Prateem Sahu, J.

Order on Board**By****Prashant Kumar Mishra, Ag. CJ****18/04/2019**

1. By order dated 11-12-2018 passed in WA No.377 of 2017 this Court directed the respondents to conduct election on the post of Sarpanch & Up-Sarpanch of Gram Panchayat, Mudpar (Chu) forthwith.

2. When notices were issued in this contempt petition no effort was taken by the respondents to conduct election of Sarpanch. As on date the State Election Commission has already notified to hold election for the post of Sarpanch. The polling for which shall take place on 15-5-2019, if required and the counting has been scheduled to be held on the same date.
3. Under Section 17 (5) of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 the prescribed authority is enjoined to call a meeting of the elected panchas and Sarpanch for the purpose of election of Up-Sarpanch. Thus, the election of Up-Sarpanch shall take place after the Sarpanch is elected on 15-5-2019. The present Sarpanch having been unseated on account of motion of no confidence having been carried against him.
4. We are satisfied that the respondents have taken steps to conduct the election of Sarpanch, which is necessary for holding election of Up-Sarpanch thereafter.
5. In view of the above, the contempt petition is disposed of. However, it is observed that the election of Up-Sarpanch shall take place forthwith after the election of Sarpanch.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge

Gowri