

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2256 of 2019

Tikaram Sinha S/o Lachhan Sinha Aged About 55 Years Officiating
Sarpanch, Gram Panchayat Dodki, Tahsil And District Dhamtari
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Social Welfare, Department Of Panchayat And Social Welfare, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur Chhattisgarh.
2. Collector, Dhamtari, District Dhamtari Chhattisgarh.
3. Chief Executive Officer, Zila Panchayat, Dhamtari, District Dhamtari Chhattisgarh.

---Respondents

For petitioner- Shri B.D. Guru, Advocate.
For State -Shri Sudeep Verma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

08/07/2019

1. Order impugned dated 29/05/2019 is passed by the Collector, Dhamtari in exercise of power under the Chhattisgarh Panchayat Raj Adhiniyam, 1993. Since the order has been passed by the Collector in exercise of power under Section 89 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993, under Rule 3(b) of Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995 appeal would lie to the Director Panchayat. Therefore, without observing on the merits, petitioner would be at liberty to avail the alternative remedy of filing appeal under the Chhattisgarh Panchayats (Appeal and Revision) Rules, 1995.
2. With such observation, the petition is disposed of.
3. Petitioner shall be entitled to raise all the defence before the appropriate authority.
4. Registry is directed to return the certified copy of Annexure P-1 after retaining photo copy of the same.

Sd/-

(Goutam Bhaduri)

JUDGE

