

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(C) No. 2470 of 2019**

Chhaya Sidar, W/o. Late Daniram Sidar, Aged About 75 Years, R/o. Village Salhe Ona, Post Sakarboga, Tehsil & District Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through Its Secretary, Panchayat & Rural Development, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. Additional Commissioner, Division Bilaspur, Bilaspur, Chhattisgarh.
3. Collector Of Raigarh, District Raigarh, Chhattisgarh.
4. Sub Divisional Officer, Raigarh, District Raigarh, Chhattisgarh.
5. Ramvati Sidar, W/o. Santosh Sidar, Sarpanch Of Gram Panchayat Salhe Ona, Post Sakarboga, Tehsil & District Raigarh, Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Pallav Mishra, Advocate
For State/Respondents No.1 to 4	:	Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

19.07.2019

Heard

1. Learned counsel for the petitioner submits that a complaint was made against the respondent No.5, Ramvati Sidar, who is Sarpanch, for financial irregularities wherein the S.D.O. after enquiry removed her. The said removal was under Section 40 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993, which was subject of appeal before the Collector under the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995 and the Collector too affirmed the order. However, the respondent No.5 thereafter again filed a second appeal before the Commissioner and the Commissioner though do not have jurisdiction to entertain the second appeal has passed an exparte order and also has not heard the petitioner, who had filed an application for impleadment of party.

2. Without commenting on the jurisdictional part, the Commissioner is directed to decide the proceeding which is pending before him expeditiously within a further period of three months from the date of receipt of a copy of this order and the petitioner may also be heard during the course of proceeding and he may raise all the legal grounds which may be available to him.
3. With such observation, the petition stands disposed off.

Sd/-
Goutam Bhaduri
Judge

ashok