

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(C) No. 2830 of 2019

Anusuiya Chandrakar, W/o. Shri Mohanlal Chandrakar, Aged About 48 Years,
R/o. Village Kutela (Mohmela), Tehsil Arang, District Raipur, Chhattisgarh

..... **Petitioner**

-Versus -

1. State Of Chhattisgarh, Through the Secretary, Panchayat Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. The Sub Divisional Officer (R) Arang, District Raipur, Chhattisgarh.
3. Dinesh Kumar Chandrakar, S/o. Late Shri Bhuvan Lal Chandrakar, Aged About 40 Years, R/o. Village Kutela (Mohmela), Tehsil Arang, District Raipur, Chhattisgarh.

.....**Respondents**

20.08.2019	Mr. Prateek Sharma, Advocate for the Petitioner. Ms. Richa Shukla, Govt. Advocate for the State. Mr. Sumit Singh Rathore & Mr. Rahul Agrawal, Advocates for the Caveator. Heard In the present petition, the order dated 02.08.2019 passed by the Sub Divisional Officer in exercise of power under Section 40 of the Panchayat Raj Adhiniyam 1993 has been under challenged. Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995 provides for filing of appeal and Rule 3 contemplates that if the order is passed by the S.D.O. then as per Rule 3(a), the appeal is to be filed before the Collector. In view of this, since an alternative remedy is available, I am not inclined to entertain this writ petition.

Accordingly, the petition is dismissed with liberty to the petitioner to seek appropriate remedy as available to her under the provisions of the Chhattisgarh Panchayat (Appeal & Revision) Rules, 1995.

Registry is directed to return the certified copy of the order dated 02.08.2019 (Annexure P-1) after retaining the photocopy of the same.

Sd/-
(Goutam Bhaduri)
Judge