

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3734 of 2019**

Radha Sahu W/o Shri Gopal Sahu Aged About 52 Years R/o. Village-Kurra, Vikas Khand Dhamtari, Tehsil And District -Dhamtari Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development Department, Mahanadi Bhawan Mantralaya, New Raipur, District Raipur, Chhattisgarh
2. State Of Chhattisgarh Through The Collector, Collectorate Dhamtari, District Dhamtari, Chhattisgarh
3. State Of Chhattisgarh Through The Deputy Director, Panchayat And Rural Development, Dhamtari, District Dhamtari, Chhattisgarh
4. The Chief Executive Officer Zila Panchayat Dhamtari, District Dhamtari, Chhattisgarh
5. State Of Chhattisgarh Through The Chief Executive Officer, Janpad Panchayat Dhamtari, District Dhamtari, Chhattisgarh
6. Collector Dhamtari District Dhamtari, Chhattisgarh
7. The Sub Divisional Officer Dhamtari, District Dhamtari, Chhattisgarh

----Respondents

For Petitioner	:	Mr. Hemant Kumar Agrawal, Advocate
For State	:	Mr. Anshuman Shrivastava, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/10/2019**

1. The challenge in the present writ petition is to the orders Annexure P/1 and P/3. Annexure P/3 is an order, whereby the Sub-Divisional Officer (Revenue) has passed an order disqualifying the petitioner from the post of Sarpanch under provisions of Section 40 of the Panchayat Raj Adhiniyam. Annexure P/1 is an order, whereby the petitioner had preferred an appeal against an order Annexure P/3 and the Collector has rejected the interim application and has fixed the appeal for final hearing.

2. The proceedings show that the Collector had already fixed the matter for final hearing and has called the records of the Sub-Divisional Officer on 04.10.2019.
3. Given the facts that the Collector has already seized the matter in an appeal and has given a short date for considering the appeal itself, this Court is not inclined to entertain the writ petition at this juncture. However, the writ petition is disposed of with a direction to the respondent No.6 i.e. the Collector, district Dhamtari to decide the appeal at the earliest. The Collector is directed to ensure that the appeal is decided early, particularly considering the fact that the Panchayat elections are to be held very soon and the interest of the petitioner should not get adversely affected because of the pendency of the appeal.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge