

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (CIVIL) NO. 4201 OF 2019**

- Awadhesh Kumar Yadav, S/o Shri Shivnarayan Yadav, aged about 40 years, R/o Village- Turiyabira, Post Bargidih, Tahsil Lundra, District Surguja (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through the Secretary, Department of Panchayat and Rural Development, Mahanadi Bhawan, New Raipur, District Raipur (CG)
2. The Collector, Surguja Ambikapur, District Surguja (CG)
3. Chief Executive Officer, Janpad Panchayat Lundra, District Surguja (CG)
4. Gram Panchayat Turiyabira, through Secretary, Gram Panchayat Turiyabira, Janpad Panchayat Lundra, District Surguja (CG)

... Respondents

For Petitioner	:	Mr. A.N. Pandey, Advocate.
For Respondent-State	:	Mr. Ayaz Naved, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****22/11/2019**

1. Challenge in the present writ petition is to the reservation of the different wards in the Gram Panchayat - Turiyabira, Post - Bargidih, Tahsil - Lundra, District Surguja.
2. Contention of the counsel for the petitioner is that the respondents have wrongly reserved the entire wards between the Scheduled Castes and Scheduled Tribes category people and no seats have been reserved for either Unreserved or for Other Backwards Classes category people.
3. This Court on perusal of record enclosed along with the present writ petition finds at page no.15 the distribution of population of the said Gram Panchayat and on verification it is found that the total population of the Scheduled Castes and Scheduled Tribes category people are more than 2/3rd of the total population of the village.
4. Given the fact that more than 2/3rd population of the village belong to Scheduled Castes and Scheduled Tribes category and keeping the said fact in mind if the respondents have reserved all the wards of the said village to the Scheduled Castes and Scheduled Tribes category people then the same cannot be held to be either bad in law or contrary to the provisions of Section 129-E of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 or any other rules framed thereunder.

5. The writ petition thus being devoid of merits the same deserves to be and is accordingly dismissed.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE