

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 197 of 2020**

Gram Panchayat Kukurdi Block Balodabazaar, P.S. City Kotwali Balodabazaar, District Balodabazaar Bhatapara Chhattisgarh. Through Sarpanch Smt. Amarbai Jangde, W/o Shri Kanhaiyalal Jangde, Aged About 52 Years, R/o Village Kukurdi, Police Station City Kotwali, Balodabazar, District Balodabazar Bhatapara Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat, Government Of Chhattisgarh, Mahanadi Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh
2. The Collector, Balodabazaar, District Balodabazaar Bhatapara Chhattisgarh
3. Sub Divisional Officer (Revenue), Balodabazaar, District Balodabazaar Bhatapara Chhattisgarh
4. Chhattisgarh State Election Commission, Through Chief Election Commissioner, Chhattisgarh State Election Commission, Near Dks Bhawan (Old Mantralay), Raipur Chhattisgarh
5. Assistant Electoral Registration Officer, Balodabazaar, Tah. Balodabazaar, District Balodabazaar Bhatapara Chhattisgarh

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For Petitioner	:	Mr. Anchal Kumar Matre, Advocate
For State	:	Mr. V. R. Tiwari, Additional AG with Mr. P. Acharya, PL
For Res. No.4	:	Mr. Rahul Kumar, on behalf of Mr. R. S. Marhas, Advocates

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/01/2020**

1. the challenge in the present writ petition is to the illegality on the part of the respondents in publication of the voter list for Gram Panchayat Kukurdi, under Block Balodabazar, District Balodabazar- Bhatapara.
2. Counsel for the petitioner submits that there has been a large number of persons whose names have been incorporated in the voter list who in fact are not resident of that village neither does the voter list give the details of the residence of those persons. Further grievance of the petitioners is also in respect of alleged shifting of

certain persons belonging to particular special tribe to some other areas without following the procedure of law.

3. Since there is an expressed bar under Article 243 O of the Constitution of India in respect of Panchayat Election matter, this Court is not inclined to entertain the writ petition at this juncture particularly when the voting is to be held in just a few days' time. Moreover, the elections programmes were also already notified as early as on 28.12.2019.
4. However, taking into consideration the powers which have been conferred upon the State Election Commission in respect of conducting of the elections, this Court is of the opinion that ends of justice would meet if petitioners are directed to approach respondent No.4 by making a fresh representation in addition to the representation that they have already made. The State Election Commission is expected to take appropriate steps in accordance with law on due verification of the complaints lodged by the petitioners at the earliest.
5. The petitioner would also be at liberty to approach the State Election Commission in respect of any other grievance for the forth coming Panchayat Elections.
6. Certified Copy Today.
7. With the aforesaid observations, the writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge