

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 159 of 2020**

Devanand Kaushik S/o Late Shri Shivcharan Kaushik, Aged About 45 Years R/o Village Chichirda, P.S. Chakarbhata, Tahsil Takhatpur, District Bilaspur Chhattisgarh

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary Panchayat, Mantralaya Naya Raipur Chhattisgarh
2. The Collector, District Bilaspur Chhattisgarh
3. The Sub Divisional Officer, Kota, District Bilaspur Chhattisgarh
4. The Returning Officer (Panchayat) Cum Tahsildar, Tahsil Takhatpur, District Bilaspur Chhattisgarh
5. Parmeshwar Kaushik S/o Late Milauram Kaushik, Aged About 30 Years R/o Village Chichirda, P.S. Chakarbhata, Tahsil Takhatpur, District Bilaspur Chhattisgarh
6. Raju Sahu S/o Late Mastram Sahu, R/o Village Chichirda, P.S. Chakarbhata, Tahsil Takhatpur, District Bilaspur Chhattisgarh
7. The Returning Officer (Panchayat) Janpad Panchayat Takhatpur, District Bilaspur Chhattisgarh

---- **Respondents**

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| For Petitioner | : | Mr. A. S. Rajput, Advocate |
| For State      | : | Mr. Jitendra Pali, Dy. AG  |

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**Hon'ble Shri Justice P. Sam Koshy**  
**Order on Board**

**15/01/2020**

1. The challenge in the present writ petition is to the order dated 07.01.2020 Annexure P-4 whereby the nomination paper of the petitioner has been cancelled.

2. At this juncture, this Court is not inclined to entertain the writ petition for the reason that there is specific bar envisaged under Article 243 O to interfere with the election matters after the same has been notified. In the instant case, admittedly the same has been notified on 23.12.2019. The Hon'ble Supreme Court in the case of **Avtar Singh Hit Vs. Delhi Sikh Gurudwara Management Committee and others, (2006) 8 SCC 487** referring to the catena of decisions rendered by the Supreme Court on the subject has held that the writ petitions would not be maintainable.
3. The Division Bench of this Court in the case of **Manoj Kansari Vs. State of Chhattisgarh in WPC 3540/2019 & other connected cases** decided on 02.12.2019 have also held that the writ petitions at this juncture would not be maintainable.
4. Reserving the right of the petitioner to avail the remedy open to the petitioner against the order of rejection of his nomination, the writ petition stands dismissed as not maintainable.

Sd/-  
**(P. Sam Koshy)**  
**Judge**

Rohit