

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 317 of 2020**

Virendra Nagesh S/o Bodar Aged About 35 Years R/o Village Deodand,
Police Station Bagicha, District Jashpur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department Mahanadi Bhawan, Mantralaya, Atal Nagar, Mantralaya, New Raipur Chhattisgarh
2. The Collector And District Election Officer, District Jashpur Chhattisgarh
3. The Sub Divisional Officer (Revenue), Bagicha, District Jashpur Chhattisgarh
4. The Tahsildar And Returing Officer, Bagicha, District Jashpur Chhattisgarh
5. The Chief Executive Officer, Janpad Panchayat, Bagicha, District Jashpur Chhattisgarh
6. Devlal Bhagat S/o Ganesh Bhagat, Sarpanch, Gram Panchayat Gaybuda, Janpad Panchayat, Bagicha, District Jashpur Chhattisgarh
7. The Commissioner, Chhattisgarh State Election Commission, Nawa Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. J. K. Saxena, Advocate
For State	:	Mr. Ashutosh Mishra, PL
For Res. No.7	:	Mr. R. S. Marhas, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****27/01/2020**

1. The challenge in the present writ petition is to the alleged improper acceptance of nomination of the respondent No.6 for the post of Sarpanch in the election in respect of Village Panchayat, Deodand, Police Station Bagicha, District Jashpur, Chhattisgarh.

2. At the outset, this Court is of the opinion that improper acceptance of nomination also is a ground under Rule 21 of the Election Petition Rules of 1995 for declaring elections to be void. This Court also is not inclined to entertain the writ petition on account of express bar provided under Rule 243 O of the Constitution of India, the writ petition accordingly stands rejected. Reserving the right of the petitioner to avail appropriate remedies available under law.

Sd/-
(P. Sam Koshy)
Judge

Rohit