

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 748 OF 2020**

Smt. Sushila Verma, age 47 years, W/o Shri Chand Ram Verma, R/o Village Patan, P.S. Balodabazar, District Balodabazar-Bhatapara (CG) **... Petitioner**

versus

1. Chhattisgarh State Election Commission, through Commissioner, Raipur, District Raipur (CG)
2. District Election Commission, through Collector, Bilaspur, District Bilaspur (CG)
3. Authorization Officer/Assistant Returning Officer, Janpad Panchayat, Bhatapara, District Balodabazar-Bhatapara (CG)
4. Anjali Verma, W/o Radhe Shyam @ Methlal, R/o Village Patan, Police Station Balodabazar, District Balodabazar-Bhatapara (CG) **... Respondents**

For Petitioner	:	Mr. Santosh Kumar Verma, Advocate.
For Respondent-State	:	Mr. Anshuman Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/03/2020

1. The present Writ Petition has been filed seeking for the following relief:-

“10(i) That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to re-counting of panchayat election for the post of Sarpanch at Gram Panchayat Patan, Police Station Balodabazar, District Balodabazar Bhatapara (C.G.), in the interest of justice.”

2. The matter in the present Writ Petition relates to the election to the post of Sarpanch held for Gram Panchayat Patan, Division Bhatapara, District Balodabazar-Bhatapara. The elections were held on 3.2.2020 and the results were also declared on the same date and the Respondent also has been declared as the winning candidate.

3. Given the fact that results have already been declared more than one month's back, this Court is of the opinion that the present Writ Petition at this juncture would not be maintainable; firstly, on account of express bar as it provided under Article 243(O) of the Constitution of India and, secondly, on the ground of there being an alternative efficacious remedy under Section 122 of the Chhattisgarh Panchayat Raj Adhiniyam, 1993.

4. The Writ Petition accordingly stands dismissed as not maintainable, reserving the right of the Petitioner to avail other remedies available to him under law.

Sd/-
(P. Sam Koshy)
Judge