

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 656 of 2020**

Smt. Durpati Bai W/o Shri Sewak Das Manikpuri, Aged About 44 Years,
R/o Village Bamhani, Police Station And Tahsil Akaltara, District Janjgir
Champa, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through- The Secretary, Department Of
Returning Officer, Panchayat, Mahanadi Bhawan, Atal Nagar,
Mantralaya, Raipur, District Raipur, Chhattisgarh
2. Collector Janjgir Champa, District Janjgir Champa, Chhattisgarh
3. Sub Divisional Officer / Returning Officer Akaltara, District Janjgir
Champa, Chhattisgarh
4. Smt. Geeta Bai W/o Shri Ramesh Kumar Yadav, R/o Village Bamhani,
Police Station And Tahsil Akaltara, District Janjgir Champa,
Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Ravi Maheshwari, Advocate
For State	:	Ms. Abhyunati Singh, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****26.02.2020**

1. The relief sought for by the petitioner in the present writ petition is for a
direction to the respondents to recount the votes casted in Gram
Panchayat Bamhani, Block Akaltara, District Janjgir Champa,
Chhattisgarh.

2. At the outset, this Court is of the opinion that the writ petition would not be maintainable in view of the express bar under Article 243(O) of the Constitution of India. The remedy available to the petitioner now would be that of preferring an election petition under Section 122 of the Panchayat Raj Adhiniyam.
3. Accordingly, the writ petition stands rejected as not maintainable. However, the petitioner would be at liberty to avail other remedies open to her under the law.

Sd/-
P. Sam Koshy
Judge