

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 725 of 2020**

Tirupati Naidu S/o Late Govind Naidu Aged About 68 Years Resident Of
Nayapara Road, Aadawal Post Officer, Police Station Bodhghat, District
Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Petitioner**Versus**

1. Chief Election Commissioner State Election Commission, State Of Chhattisgarh, Raipur
2. Chief Election Commissioner Election Commission Government Of India, New Delhi, Delhi
3. Commissioner Bastar Division, Jagdalpur, District Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
4. Chief District Election Officer (Collector) District- Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
5. Deputy District Election Officer (Panchayat) District Bastar- Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Pushpendra Singh Baghel, Advocate
For State Election Commission:	:	Mr. R. S. Marhas, Advocate

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

24/02/2020

1. The present writ petition has been filed seeking for following relief :-
 (10.1) That, this Hon'ble Court may kindly be pleased to direct the respondents to cancel the entire election of the Gram Panchayat Aadawal.
 (10.2) That, this Hon'ble Court may kindly be pleased to direct the respondents to conduct re-election of the said Gram Panchayat Aadawal.

2. During the course of the hearing, it has been revealed that elections have already been held on 28.01.2020, results were also declared on the same day i.e. 28.01.2020 and respondent No.7 has been declared as the winning candidate and Returning Officer has also issued a certificate to the winning candidate.
3. Grievance of the petitioner seems to be in respect of illegal manner in which the voter list was prepared. Considering the fact that elections have now been concluded and election results have already been declared, this Court is of the opinion that writ petition at this juncture would not be maintainable and the only remedy available to the petitioner would be to raise an election petition under Section 122 of the Panchayat Raj Adhiniyam. The writ petition also all the more would not be maintainable in the light of the express bar under Article 243 O of the Constitution of India.
4. With the aforesaid directions and liberty to the petitioner, the writ petition is rejected as not maintainable.

Sd/-
(P. Sam Koshy)
Judge

Rohit