

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1923 of 2020**

Rajju Mathur S/o Shri Jitendra Mathur, Aged About 53 Years R/o Village
Birampur P.S. Dadhi Tahsil And District Bemetara Chhattisgarh, District :
Bemetara, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat
And Rural Development Mahanadi Bhawan, New Raipur District Raipur
Chhattisgarh, District : Raipur, Chhattisgarh
2. The Collector, Bemetara, District Bemetara Chhattisgarh, District :
Bemetara, Chhattisgarh
3. The Sub Divisional Officer (Revenue), Bemetara District Bemetara
Chhattisgarh, District : Bemetara, Chhattisgarh
4. Chief Executive Officer, Zila Panchayat Bemetara District Bemetara
Chhattisgarh, District : Bemetara, Chhattisgarh
5. Rakesh Kumar Elected Sarpanch Of Village Panchayat Sukhatal Block
Bemetara District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. A. N. Pandey, Advocate
For State	:	Mr. V. R. Tiwari, Addl. AG

Hon'ble Shri Justice P. Sam Koshy**Order on Board****15/09/2020**

1. The grievance of the petitioner in the present writ petition is that in spite of repeated complaints being made to the respondent No.3 in respect of the disqualification of respondent No.6 from elected as Sarpanch on account of the fact that he stands convicted in a criminal case offence under Section

394 of the IPC vide the judgment of conviction dated 13.07.2009. The conviction also has been affirmed by the High Court as well vide the judgment dated 14.09.2011.

2. Contention of the petitioner is that respondent No.6 could not have been elected as a Sarpanch and for which they are making repeated complaints to the respondent No.3 who has till date not taken any decision on the complaints so made by the petitioner. The limited prayer that petitioner has made is for a direction to the respondent No.3 for taking an early decision on the complaints so lodged.
3. Given the nature of relief sought for, the present writ petition as of now stands disposed of directing the respondent No.3 to take an appropriate decision on the complaints lodged by the petitioner and other villagers in respect of the respondent no.6 being disqualified from being elected as a Sarpanch pursuant to his conviction.
4. Let a decision be taken by the respondent No.3 at the earliest in accordance with law i.e. the Panchayat Raj Adhiniyam within a period of 60 days from the date of receipt of copy of this order.
5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit