

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1266 of 2021

Smt. Rani Yadav W/o Shri Ramnarayan Yadav Aged About 35 Years
Member Of Janpad Panchayat Balodabazar And Ex. Sarpanch, Gram
Panchayat Amlidih, Janpad Panchayat Balodabazar, Resident Of House -
115, Ward No. 9, Diprapara, Amlidih, Balodabazar District Balodabazar
Bhatapara Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Ministry Of Panchayat And Social Welfare, Secretariat Mahanadi Bhawan, Capital Complex Naya Raipur, District Raipur.
2. The Collector, District Baloda Bazar Bhatapara Chhattisgarh.
3. The Chief Executive Officer, Jila Panchayat Balodabazar Bhatapara Chhattisgarh.
4. The Chief Executive Officer, Janpad Panchayat, Balodabazar, District Balodabazar Bhatapara Chhattisgarh.

---- Respondents

For petitioner – Shri Hari Agrawal, Advocate.

For State – Shri Gagan Tiwari, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

04/03/2021

Heard.

1. Learned counsel for the petitioner would submit that the petitioner is elected Sarpanch of Gram Panchayat, Amlidih from 2014-2015 to 2019-2020. During her tenure certain complaint was made that the petitioner has made certain financial irregularities in the deepening of the pond Pankatti Talab then levelling of school ground at Khamariya, construction of bathrooms and levelling of school ground at Amlidih. The same was enquired into by three member committee and it was found that all the allegations are false. He would submit that she was selected as a Janpad Panchayat member subsequently in the month of February, 2020. Thereafter on the same allegation one complaint again has been made to the CEO by Annexure P-2 and the petitioner is served with a letter dated 23/01/2021

(Annexure P-1). Learned counsel submits that the petitioner therefore has made an application stating the facts by Annexure P-6 that on the earlier occasion on the similar allegation on an enquiry the petitioner was exonerated, however when she has been again elected for Janpad Panchayat on the same allegation, second enquiry is contemplated. Therefore the CEO may be directed to consider the defence of the petitioner.

2. Perusal of the Annexure P-1 would show that the petitioner has been served with a notice by Zila Panchayat, Baloda Bazar and the letter is addressed to the CEO, Janpad Panchayat, Baloda Bazar with a copy to the petitioner. It appears that the petitioner has not been served with any show cause notice. Since a letter was forwarded to her she has given a representation to the CEO, Zila Panchayat Baloda Bazar by Annexure P-6. Therefore CEO, Zila Panchayat Baloda Bazar and CEO, Janpad Panchayat, Baloda Bazar are required to look into the matter. If the petitioner has claimed that she has been exonerated in respect of the same charges on the earlier point of time she may apprise the authority about the fact with the necessary document. If such documents are filed, same would be considered in its own merit.

3. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE