

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1390 of 2021

- Ratnesh Kumar Singh S/o Shri Virendra Singh Aged About 40 Years R/o Village Bhaiso , Thana And Tahsil Pamgarh, District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary , Panchayat And Urban Development Department , Mantralay, New Raipur Chhattisgarh.,
2. The Collector / Prescribed Officer Janjgir , District Janjgir Champa Chhattisgarh
3. Ram Kumar Patel S/o Fekuram Aged About 39 Years Caste Patel , R/o Village Bhaiso , Thana And Pamgarh, District Janjgir Champa Chhattisgarh
4. Amar Das Manikpuri S/o Narayan Das Manikpuri Aged About 27 Years Caste Manikpuri, R/o Village Bhaiso, Thana And Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.
5. Budhram Nirmalkar S/o Late Bahoran Aged About 75 Years Caste Nirmalkar, R/o Village Bhaiso, Thana And Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.
6. Dhaniram Yadav S/o Late Sukhram Aged About 41 Years Caste Yadav , R/o Village Bhaiso, Thana And Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.

---- Respondents

For petitioner	:	Mr. Bharat Rajput, Advocate
For State	:	Mrs. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.03.2021

Heard.

1. Learned counsel for the petitioner submits that the respondent No. 3 has been elected as a Member of Janpad Panchayat in the year 2020 and since the respondent No. 3 was convicted earlier on 27.05.2010 in Sessions Trial No. 38/2008 for seven years, as such, the respondent No. 3 would be disqualified for the said post under Section 36(1)(A)(II) of the Chhattisgarh Panchayat Raj Adhiniyam 1993. He further submits that the petitioner has moved an

application before the Collector to declare respondent No. 3 to be disqualified for the said post however the said application is pending and still not being decided on merits. He further submits that the respondent No. 3 since has been convicted, therefore the Collector may be directed to decide the same.

2. Considering the limited prayer made by the petitioner and the order-sheet dated 14.02.2020 (Annexure P/2) shows that the proceeding are pending before the Collector, therefore the Collector Janjgir Champa, after hearing the parties, is directed to decide the application of the petitioner within a period of three months from the date of receipt of copy of this order.

3. With the aforesaid observation/ direction, the writ petition stands disposed off.

Sd/-

(Goutam Bhaduri)

JUDGE

Vishakha