

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2110 of 2021

- Sunder Lal Bharti S/o Sahini Ram Bharti Aged About 32 Years R/o Village Raikona, Police Station Sarsiwa, Tahsil Bhatgaon, District Baloda Bazar-Bhaatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat Mahanadi Bhawan, Atal Nagar, Mantralaya Nawa Raipur District Raipur Chhattisgarh
2. Collector Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh
3. Sub Divisional Officer (Revenue)/returninig Officer Bhatgaon, District Baloda Bazar -Bhatapara Chhattisgarh
4. Naib Tahsildar/competent Authority Bhatgaon District Baloda Bazar -Bhatapara Chhattisgarh

---- Respondents

For Petitioner : Shri Bharat Lal Sahu, Advocate

For Respondent/ State : Shri Siddharth Dubey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.06.2021

Heard

1. The challenge in this petition is to the No Confidence Motion carried out under Section 21 of the C.G. Panchayat Raj Adhiniyam, 1993.
2. Learned counsel for the petitioner submits that no confidence motion was carried out as per Annexure P-2 which is undated and therefore the document is fabricated and on earlier occasion it would show that on 26.03.2021 no

confidence motion was fixed, however the notice was served on 28.03.2021 and after the date notice was served. He further submits that therefore the petitioner did not have the notice and no confidence motion was carried out subsequently on 01.04.2021.

3. Learned State counsel submits that the notice was also served on WhatsApp and other modes and the petitioner himself refused to accept the notice and therefore it was annexed on the door of the petitioner.
4. In any case, since disputed question of facts are involved and evidence are required to be laid whether such notice were served or the petitioner refused to accept the notice. Under the circumstances since under Section 21 (4) of the C.G. Panchayat Raj Adhiniyam, 1993 the alternative remedy is available to refer the dispute to the Collector, the petitioner shall be at liberty to refer the dispute if so advised to the Collector in terms of Section 21 (4) of C.G. Panchayat Raj Adhiniyam, 1993 within the period of 7 days from today.
5. With such observation, the petition stands disposed off.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti