

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3266 of 2021

Anita Bai Ghritlahare W/o Shyam Lal Ghritlahare, Aged About 38 Years
Sarpanch Gram Panchayat Juda, Tahsil Balodabazar, District
Balodabazar Bhatapara Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Collector, Balodabazar, District Balodabazar Bhatapara Chhattisgarh
3. Sub Divisional Officer (Revenue) And Prescribed Authority, Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
4. Chief Executive Officer, Janpad Panchayat Balodabazar, District Balodabazar Bhatapara (Chhattisgarh),
5. Sukhmani Verma, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh),
6. Bund Ram Yadav, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh),
7. Janki Bai Verma, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
8. Rajesh Kumar Dhruv, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
9. Utara Bai Verma, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh),
10. Sarita Tondre, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
11. Nohar Lal Banjare, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
12. Ahilya Bharti, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh),
13. Shashi Kala Banjare, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)
14. Janki Bai Banjare, Panch, Gram Panchayat Juda, Tahsil Balodabazar, District Balodabazar Bhatapara (Chhattisgarh)

---- Respondents

For Petitioner : Shri Ragvendra Pradhan, Advocate.

For State : Shri Ashish Tiwari, G.A.

For respondents No.5 to 9 & 11 to 14 – Shri Satish Gupta, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/09/2021

Heard.

1. When the no confidence motion was scheduled because of certain irregularities it was challenged before this Court and this Court by order dated 16/08/2021 has stayed the motion of no confidence. Respondents have filed the reply and would submit that they may be given fresh liberty to move the no confidence motion as the earlier no confidence motion could not be carried out for some reason or other.
2. Without going into merits of the challenge in this petition, it is observed that the respondents No.5 to 9 and 11 to 14 would be at liberty to move a no confidence motion in accordance with the C.G. Panchayat Raj Adhiniyam, 1993. It is further made clear that since the earlier no confidence motion has not been concluded and the move was intervened by an interim order it would not create a bar u/s 21(3)(iii) of the C.G. Panchayat Raj Adhiniyam, 1993. The earlier proceeding which was commenced on 26/07/2021 stands quashed. The Panchas would be at liberty to carry out the fresh proceeding of no confidence motion.
3. With such observation, the petition stands disposed of.

Sd/-

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**(Goutam Bhaduri)
Judge**