

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3837 of 2021

- Sharda Devi W/o Ram Prasad Korram Aged About 34 Years Presently Sarpanch, Gram Panchayat Dhavaipur, Janpad Panchayat Katghora, District Korba (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Panchayat, Mahanadi Mantralaya, Atal Nagar, Naya Raipur, Post Office And Police Station Naya Raipur, District Raipur (Chhattisgarh)
2. Collector Korba, Distt. Korba (Chhattisgarh)
3. Janpad Panchayat Katghora, Through The Chief Executive Officer, Janpad Panchayat, Katghora, District Korba (Chhattisgarh)
4. Chief Executive Officer Janpad Panchayat, Katghora, District Korba (Chhattisgarh)
5. H.N. Khotel Chief Executive Officer Janpad Panchayat, Katghora, District Korba (Chhattisgarh)
6. Shukrut Das Mahant R/o Village Dhavaipur, Janpad Panchayat Katghora, District Korba (Chhattisgarh)
7. Pradeep Yadav R/o Village Dudga Janpad Panchayat Katghora, District Korba (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Anuroop Panda, Advocate
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For State/ Respondents	:	Shri Sudeep Agrawal, Dy. A.G.
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Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.09.2021

Heard

1. Learned counsel for the petitioner submits that pursuant to certain FIR lodged against Respondent No. 5, the Respondent No. 4 CEO, Janpad Panchayat, Katghora, started enquiry on a complaint of Respondent No. 6 & 7 and complaint was made on 13.09.2021 and immediately enquiry was opened giving 3 days time and without giving any opportunity of hearing to the petitioner. He further submits that therefore the enquiry as contemplated may be stayed.

2. Perused the documents.
3. Perusal of the order would show that the order is passed under the C.G. Panchayat Raj Adhiniyam which is covered under Section 91 of the C.G. Panchayat Raj Adhiniyam, 1993. Since, the order is passed under Panchayat Raj Adhiniyam, therefore it would be appealable as per Section 3 of the C.G. Panchayats (Appeal and Revision) Rules, 1995, therefore the petition is disposed off with liberty to the petitioner to file appeal against the order dated 13.09.2021 before the appropriate authority as per C.G. Panchayats (Appeal and Revision) Rules, 1995 within a period of 30 days from the date of receipt of a copy of this order. Till then no coercive steps shall be taken against the petitioner pursuant to Annexure P-1 dated 13.09.2021.
4. With the aforesaid observations, the present writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti