

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C.) No.4213 of 2021

- Smt. Leela Dewangan (Sarpanch) W/o Laxminath Dewangan Aged About 33 Years R/o Sindhoura Gariyaband Rajim, Chhattisgarh 493885

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Collector, Office Of The Collector, Composit Building, Gariyaband District Gariyaband Chhattisgarh 493889
2. Smt. Hemlata Sahu Upsarpanch Gram Panchayat, Sindhoura, Vikashkhanda Fingeshwar, Tehsil Rajim, District Gariyaband Chhattisgarh

---- Respondents

For Petitioner

– Mr. Vivek Chopra, Advocate.

For State

– Ms. Astha Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-10-2021

1. Heard.
2. This petition has been brought vide order dated 27.09.2021 passed by the Collector, District- Gariyaband, C.G., dismissing the application filed under Rule 8 of C.G. Panchayat (Appeal and Revision) Rules, 1995.
3. It is submitted that the petitioner was a 'Sarpanch', who has been removed from the post by the order dated 19.07.2021 passed on no confidence motion. The petitioner has preferred appeal before the Collector along with the application praying for grant of stay. The application for stay has been rejected by the impugned order dated 27.09.2021. The impugned order is illegal, erroneous and

unsustainable, hence, relief may be granted.

4. Learned State counsel opposes the submissions and submits that there is no error committed by the Collector in passing the impugned order. Hence, the petition may be dismissed.
5. After considering on the submissions, the petition is disposed off at the motion stage. The Collector, District Gariyaband C.G. is directed to consider on the appeal filed by the petitioner within a time frame of one month and during that time, the effect and operation of the order impugned before the Collector that is order dated 19.07.2021 passed by the S.D.O. shall remain stayed until the disposal of the appeal before the Collector.
6. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika