

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) NO.16513 OF 2022

Ghanashyam Lenka & ors.

....

Petitioners

Mr.S.Prusty, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.Ghosh, AGA

CORAM:

JUSTICE BISWANATH RATH

Order

No.

ORDER

2.8.2022

2. 1. Heard learned counsel for the Parties.
2. This is the second round of litigation. It appears, in the first round of litigation in W.P.(C) No.12698 of 2022, there was already direction for consideration of representation of the Petitioners. Finding no respite rather than progress in the work involved, the Petitioners claim to have moved a miscellaneous application, which appears to be disposed of permitting the Petitioners to file a better representation.
3. The present Writ Petition has the following prayer :-

“It is, therefore, most humbly and respectfully prayed that this Hon’ble Court may be graciously pleased to consider the facts stated in this petition, issue notice to the Opp.Parties and after hearing pass the following orders :-

 - A) Direction be issued to govt. (O.P.No.1) for initiation of proceeding against the Sarapanch (O.P.No.5) for his removal from the office of Sarapanch u/S.115(1) of the Orissa Grama Panchats Act, 1964.
 - B) Direction be issued to the Govt. Opp.Party No.1 to take a decision as per law on the issue involved in the representation of the petitioners dtd.31.8.2021 under

Annexure-2 and the representation dtd.26.3.2022 under Annexure-7 which are not disposed of till date by the Opp.Party Nos.2 to 5 and nothing is communicated/intimated to the Petitioners as per law till date.”

4. So far as Prayer No.A is concerned, nothing prevents the Petitioners from initiation of appropriate proceeding under the Grama Panchayat Act. So far as it relates to Prayer No.B, it appears, the Petitioners on the selfsame issue have a pending representation before O.P.4. In the event of pendency of any such request of the Villagers, O.P.4 is directed to undertake the exercise of investigation and do the needful also involving the Parties likely to be affected by completing the entire exercise within a period of two months from the date of communication of this order.

5. The Writ Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout