IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1742 of 2026

Sanjay Keshari Mohapatra .... ***Petitioner***

Mr. N. Panda, Advocate

-versus-

1. ***State of Orissa, represented through the Secretary to Govt. Department of Panchayat Raj, At-Lokaseva Bhawan, Bhubaneswar, Khurda***
2. ***Collector, Puri***
3. ***Block Development Officer, Nimapara, Puri***
4. ***Tapan Kumar Mallick***

.... ***Opposite Parties***

Mr. S.K. Swain, AGA

CORAM: JUSTICE V. NARASINGH

ORDER
20.01.2026

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the State.

2. The Petitioner is seeking a direction to the Opposite Party No.2 (the Collector, Puri) to declare the Sarpanch Chanarapada as disqualified for membership of Gram Panchayat by exercising the power vested in

him as per Section 25 of the Odisha Gram Panchayat Act, 1964.

3. It is submitted by the learned counsel for the Petitioner that Opposite Party No.4 has incurred the disqualification envisaged under Section 25(2) of the Odisha Gram Panchayat Act, 1964 to continue as Sarpanch, since NBW has been issued against him in a case under Section 138 of N.I. Act.

4. It is submitted that because of issuance of such NBW the Opposite Party No.4 has incurred the disqualification as envisaged under Section 25(1)(d) and 25(2)(a) of the Odisha Gram Panchayat Act, 1964. For convenience of reference the same are extracted hereunder;

> "**25. Disqualification for membership of Grama Panchayat** :– (1) A person shall be disqualified for being elected or nominated as, a Sarpanch or any other member of the Grama Panchayat constituted under this Act, if he–
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> xxx xxx xxx
>
> (d) is an applicant to be adjudicated as an insolvent or is an undischarged insolvent; or
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> xxx xxx xxx
>
> (2) A Sarpanch or any other member of a Grama Panchayat Shall be disqualified to continue and shall cease to be a member if he-
>
> (a) incurs any of the disqualifications specified in Clauses (a) to (j) [Clauses (m) to (p) and Clauses (t) to (v)] of sub-Section (1); or
>
> xxx xxx xxx"

5. It is submitted that ventilating his grievance, the Petitioner has preferred a representation to Opposite Party No.2 (the Collector, Puri) on 19.12.2025. The mode of submission of such representation is not on record.

6. Considering the submissions, the Writ Petition is disposed of giving liberty to the Petitioner to file a fresh representation before the Opposite Party No.2 (the Collector, Puri) within a period of two weeks hence along with a copy of this order and on such receipt, Opposite Party No.2 (the Collector, Puri) is called upon to take decision regarding the grievance of the Petitioner relating to the disqualification incurred by Opposite Party No.4 as expeditiously as possible preferably within a period of six weeks thereafter, after giving all concerned an opportunity of hearing including Opposite Party No.4.

7. It is needless to state that this Court has not expressed any opinion regarding the veracity of the claim of the Petitioner.

8. U.C.C. as per the rules.

(V. Narasingh)
Judge

Santoshi

Signature Not Verified
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Signed by: SANTOSHI LENKA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 21-Jan-2026 10:50:54