CGHC010415292026 2026:CGHC:47421-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 1115 of 2026

1. Dr. Surendra Mishra S/o Harihar Prasad Mishra Aged About 40 Years R/o O B/2, Vaishali Nagar, Post Kusumunda, Vikas Nagar Kusmunda, Post Gevra Basti, District Korba C.G.

2. Ajit Kumar Pandey S/o Arun Pandey Aged About 40 Years R/o Beside Rallash Enclave Deendayal Upadhyay Nagar, Tehsil And District Raipur C.G.

3. Bhuvan Bhaskar Sahu S/o Dayashankar Sahu Aged About 32 Years R/o Ward No. 04, Bazaar Para, Sonhat, Sonhat, Koriya, District Koriya C.G.

... Appellant(s)

versus

1. Dr. Aishwarya Kumar Sahu S/o Shri Manbodh Ram Sahu Aged About 37 Years R/o Village And Post Kareli Chhoti, Block Magarlod, District Dhamtari (C.G.)

2. Dr. Rajnish Jaiswal S/o Late Shri Shivshankar Prasad Jaiswal Aged About 50 Years Government Ayurvedic Dispensary, Gangouti, Block Bhaiyathan, District Surajpur (C.G.)

3. Dr. Nishant Kaushik S/o Dr. Hemant Kumar Kaushik Aged About 48 Years Specialized Therapy Centre, Community Health Centre, Masturi, District Bilaspur (C.G.)

4. Dr. Sunil Kumar Tandon S/o Late Shri Daulal Tandon Aged About 39 Years Plot No. 597/46, Road No. 7-A, Ashish Nagar, Risali, Bhilai, District Durg (C.G.) 490006

5. Dr. Jitendra Singh Thakur S/o Late Shri Omkar Singh Thakur Aged About 56 Years Ayush Centre, Bhanbedra, Block Bhanupratappur,

BRIJMOHAN MORLE
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District North Bastar Kanker (C.G.) (Respondents No. 1 To 5 Are Writ Petitioners In W.P.(C) No. 5135/2026)

6. State Of Chhattisgarh Through The Secretary, Medical Education (Ayush) Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)

7. Director Ayurveda, Yoga And Naturopathy, Unani, Siddha And Homoeopathy (Ayush), Indrawati Bhawan, Nawa Raipur, Atal Nagar, District Raipur (C.G.)

8. Registrar Chhattisgarh Ayurvedic, Unani Tatha Prakritik Chikitsa Board / Parishad, Government Ayurvedic Pharmacy Building, First Floor, G.E. Road, Raipur, District Raipur (C.G.)

9. Election Officer / Returning Officer Chhattisgarh Ayurvedic And Unani System Of Medicine And Naturopathy Board / Parishad, Raipur, District Raipur (C.G.)

10. The Inquiry Committee Constituted To Examine The Complaints Through Its Chairman / Principal, Government Ayurvedic College, Bilaspur, District Bilaspur (C.G.)

...Respondent(s)

(Cause-title taken from Case Information System)

For Appellants	:	Mr. Bhupendra Singh, Advocate.
For Respondents No. 1 to 5	:	Mr. Sajal Kumar Gupta, Advocate.
For Respondent/State	:	Mr. R.K. Gupta, Additional Advocate General.
For Respondents No. 8 & 9	:	Mr. R.S. Marhas, Senior Advocate, assisted by Ms. Manisha Tandon, Advocate.

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice

Hon'ble Shri Santosh Sharma, Judge

Order on Board

***Per* Krushna Ram Mohapatra, Chief Justice**

18.11.2026

1. Heard Mr. Bhupendra Singh, learned counsel for the appellants. Also heard Mr. Sajal Kumar Gupta, learned counsel, appearing for respondents

No. 1 to 5, Mr. R.K. Gupta, learned Additional Advocate General, appearing for the State, and Mr. R.S. Marhas, learned Senior Advocate, assisted by Ms. Manisha Tandon, learned counsel, appearing for respondents No. 8 & 9.

2. This intra-Court appeal has been filed assailing the order dated 07.10.2026 passed by the learned Single Judge in WPC No. 5135 of 2026, whereby the learned Single Judge in para-9 of the impugned order held as under:

> "*9. Having heard learned Counsel for the parties and perusal of record, particularly Rule 17 of the Rules, it appears that any action or order under the said Rule can be taken only after completion of the election proceedings and not before or during the course of the election proceedings. Therefore, staying the counting of votes cannot be held to be in accordance with Rule 17 of Rules 1973. Accordingly, the notice dated 30/09/2026, memo dated 29/09/2026 and letter dated 29/09/2026 are hereby quashed. The concerned authorities are directed to commence the counting of votes forthwith and declare the result in accordance with law.*"

3. The matter relates to the election to the office of Chhattisgarh Ayurvedic Tatha Unani Chikitsa Padhathi Avam Prakritik Chikitsa Parishad, Raipur. The appellants were not parties to the writ petition; hence, an application has also been filed for grant of leave to pursue the writ appeal.

But, in the meantime, the result of the election has already been declared on 15.10.2026. Hence, learned counsel for the appellants submits that, in view of the subsequent development, the writ appeal has become infructuous. He, therefore, prays for withdrawal of the writ appeal to seek a remedy in accordance with law.

4. Learned counsel for the respondents have no objection to such prayer.

5. Accordingly, the writ appeal is **disposed of as withdrawn**, being **infructuous**, with an observation that the appellants, if so advised, may avail remedy in accordance with law if they feel aggrieved.

Sd/-
(Santosh Sharma)
Judge

Sd/-
(Krushna Ram Mohapatra)
Chief Justice

Brijmohan