CGHC010441182026 2026:CGHC:46671

RUCHI YADAV Digitally signed by RUCHI YADAV

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 5636 of 2026

1 - Smt. Sanjeeta Bairagi W/o Shri Leelesh Daharia Aged About 37 Years Occupation - Sarpanch Of Gram Panchayat - Guruvaindabri, Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, New Raipur, District - Raipur, Chhattisgarh.

2 - Collector Mungeli. District - Mungeli, Chhattisgarh.

3 - Chief Executive Officer Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

4 - Sub Divisional Officer (Revenue) - Lormi District - Mungeli, Chhattisgarh.

5 - Tahsildar - Lormi, Presiding Officer District - Mungeli, Chhattisgarh.

6 - Smt. Prakash Bai W/o Late Rameswar Khande Occupation - Up-Sarpanch, Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

7 - Madhu Bhaskar W/o Khemchand Bhaskar Aged About 30 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

8 - Lawal Singh Khande S/o Parassingh Khande Aged About 55 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

9 - Smt. Varsha Ghumsare W/o Tekram Ghumsare Aged About 40 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

10 - Smt. Chanda Sahu W/o Jayram Sahu Aged About 42 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

11 - Smt. Sushila Kurrey W/o Ghanshyam Kurrey Aged About 40 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

12 - Smt. Nirmala Nishad W/o Chand Kumar Nishad Aged About 33 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

13 - Smt. Gouri Sahu W/o Ram Kumar Sahu Aged About 35 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

14 - Chandra Kumar Sahu S/o Jivrakhan Sahu Aged About 50 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

15 - Holi Ram S/o Paras Aged About 48 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

16 - Sish Kumar Dahariya S/o Naresh Dahariya Aged About 36 Years

(Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

17 - Smt. Shiv Kumari W/o Raj Kumar Aged About 50 Years (Panch), Resident Of Village - Guruvaindabri, Janpad Panchayat - Lormi, District - Mungeli, Chhattisgarh.

... Respondent(s)

(Cause title taken from CIS Periphery)

For Petitioner(s)	:	Mr. Ravi Kumar Bhagat, Advocate
For State/Respondent	:	Mr. Shobhit Mishra, Dy. G.A. appears on advance copy

SB: Hon’ble Mr. Justice Amitendra Kishore Prasad

Order on Board

04/11/2026

1. By way of this petition, the petitioner has prayed for following reliefs:-

> “10.1 This Hon'ble Court may kindly be pleased to directed the respondents to call relevant records, pertaining to the instant matter.
>
> 10.2 This Hon'ble Court may kindly be pleased to Issue an appropriate writ, order or direction, particularly a writ in the nature of Certiorari, quashing the impugned notice dated 26/10/2026 issued by respondent No. 4 under Rule 3(3) of the Rules, 1994, whereby the meeting for consideration of the No-Confidence Motion against the petitioner has been scheduled on 05/11/2026 (Annexure P/1).
>
> 10.3 This Hon'ble Court may kindly be pleased to Quash all consequential proceedings initiated pursuant to the impugned notice dated 26/10/2026 for bringing a No-Confidence Motion against the petitioner.
>
> 10.4 This Hon'ble Court may kindly be pleased to pass any other relief, which is just proper in the interest of petitioner.”

2. Brief facts of the case are that the petitioner is an elected Sarpanch of Gram Panchayat Guruvaindabri, Janpad Panchayat Lormi, District Mungeli, Chhattisgarh, who was declared elected on 22.02.2025. On 22.10.2026, certain Panchas of the Gram Panchayat submitted an application before the Prescribed Authority seeking a No-Confidence Motion against the petitioner. Pursuant thereto, respondent No. 4, vide order dated 26.10.2026, initiated proceedings and fixed 05.11.2026 for consideration of the No-Confidence Motion. However, notices issued to certain other Panchas mentioned 06.11.2026 as the date of the meeting. The petitioner submits that she received the impugned notice only on 02.11.2026 and that the relevant documents forming the basis of the No-Confidence Motion were not supplied to her. She further alleges that the Prescribed Authority failed to properly verify the signatures of the Panchas who had submitted the application. Aggrieved by the impugned notice dated 26.10.2026, the petitioner has preferred the present writ petition, inter alia, alleging non-compliance with the mandatory requirement of seven clear days' notice under the Rules, 1994, and violation of the principles of natural justice.

3. Learned counsel for the petitioner submits that the impugned notice dated 26.10.2026, convening the meeting for consideration of the No-Confidence Motion on 05.11.2026, is illegal and contrary to the mandatory provisions of the Chhattisgarh Panchayat Raj Adhiniyam, 1993 and the Rules, 1994. He submits that the petitioner actually received the notice only on 02.11.2026 and, thus, was not afforded the mandatory period of seven clear days' notice. He further submits that notices issued to different Panchas mention different dates for the meeting, thereby creating uncertainty. It is also contended that the

relevant documents forming the basis of the No-Confidence Motion were not supplied to the petitioner and the Prescribed Authority failed to properly verify the application and signatures of the Panchas. Learned counsel, therefore, submits that the impugned notice and all consequential proceedings are vitiated due to non-compliance with the mandatory statutory provisions and violation of the principles of natural justice and are liable to be quashed.

4. Learned State counsel, on the other hand, opposes the petition and submits that the impugned notice was duly dispatched on 26.10.2026, i.e., seven days prior to the scheduled meeting dated 05.11.2026, in compliance with Rule 3(3) of the Rules, 1994. He further submits that the statutory requirement relates to dispatch of notice and not its actual receipt. He, therefore, submits that no interference is warranted and the petition deserves to be dismissed.

5. Heard learned counsel for the parties and perused the material available on record.

6. The principal question which arises for consideration before this Court is whether the impugned proceedings suffer from any illegality on account of alleged non-compliance with the requirement of seven days' notice as prescribed under Rule 3(3) of the Rules, 1994.

7. At this stage, it would be appropriate to refer to Rule 3(3) of the Rules, 1994, which provides that upon receiving the notice for moving a No-Confidence Motion, the Prescribed Authority shall satisfy himself about its admissibility with reference to the relevant provisions of the Adhiniyam, 1993 and, thereafter, fix the date, time and place of the meeting. It further provides that the notice specifying the date, time and

place of such meeting shall be caused to be dispatched to every member of the concerned Panchayat seven days before the meeting.

8. A plain reading of the aforesaid provision makes it clear that the statutory requirement is with regard to dispatch of notice at least seven days before the scheduled meeting and not its actual receipt by the elected office-bearer.

9. In the present case, the impugned notice was issued and dispatched on 26.10.2026, whereas the meeting for consideration of the No-Confidence Motion has been scheduled on 05.11.2026. Thus, the requirement of dispatching the notice seven days before the scheduled meeting stands complied with. Merely because the petitioner received the notice on 02.11.2026, the same, by itself, would not render the impugned proceedings illegal, particularly when the statutory provision contemplates dispatch of notice and not its actual service upon the concerned elected office-bearer.

10. So far as the contention regarding non-supply of relevant documents and non-verification of the signatures of the Panchas is concerned, Rule 3(3) of the Rules, 1994 requires the Prescribed Authority to satisfy himself about the admissibility of the notice with reference to the relevant provisions of the Adhiniyam, 1993. The petitioner has not placed any material on record to demonstrate that the prescribed statutory requirements have not been complied with by the Prescribed Authority or that any substantial prejudice has been caused to her on this count.

11. Further, merely because notices issued to certain Panchas mention 06.11.2026 instead of 05.11.2026, the same, in the facts of the present

case, would not by itself be sufficient to invalidate the entire proceedings, particularly when the order-sheet dated 26.10.2026 records the date of the meeting as 05.11.2026.

12. In view of the aforesaid discussion and considering the facts and circumstances of the case, this Court does not find any sufficient ground to interfere with the impugned notice dated 26.10.2026 or the proceedings initiated pursuant thereto in exercise of its writ jurisdiction.

13. Accordingly, the writ petition, being devoid of merit, is hereby **dismissed.**

Sd/-

(Amitendra Kishore Prasad)
Judge

Ruchi