



HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

WPC No. 2275 of 2023

- Ghurau Sarthi S/o Late Shri Kunu Sarthi Aged About 49 Years Caste Ghasiya, (Presently In Charge Sarpanch And Panch Of Ward No. 1), R/o Village Kansa Gram Panchayat Malda (Wrongly Mention Impugned Order Malha) "b", Tahsil Sarangarh, District : Sarangarh-Bilaigarh, Chhattisgarh

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhavan, Mantralay Naya Raipur, District : Raipur, Chhattisgarh
2. The Upper Commissioner Bilaspur Division, District : Bilaspur, Chhattisgarh
3. Collector Sarangarh - Bilaigarh, District : Sarangarh-Bilaigarh, Chhattisgarh
4. The Sub Divisional Officer (Revenue) Sarangarh, District : Sarangarh-Bilaigarh, Chhattisgarh
5. Smt. Asha Chauhan W/o Kailash Chauhan Aged About 43 Years R/o Gram Panchayat Malda "b", Tahsil Sarangarh, District : Sarangarh-Bilaigarh, Chhattisgarh
6. Kewra Bai W/o Bodhi Ram Bariha Aged About 45 Years Caste- Binjhar, Panch Ward No. 02, R/o Malda "b" Tahsil Sarangarh, District - Sarangarh-Bilaigarh, Chhattisgarh.
7. Roopa Bariha W/o Birejdra Bariha Aged About 40 Years Caste- Binjhar, panch Ward No. 03, R/o Malda "b" Tahsil Sarangarh, District - Sarangarh- Bilaigarh, Chhattisgarh.
8. Smt. Laxmin Bai W/o Hoshkumar Nayak Aged About 62 Years Panch Ward No. 04, R/o Malda "b" Tahsil Sarangarh, District - Sarangarh-Bilaigarh, Chhattisgarh.
9. Gangasagar S/o Mohan Pyor Aged About 39 Years Panch Ward No. 05, R/o Malda "b" Tahsil Sarangarh, District - Sarangarh- Bilaigarh, Chhattisgarh.
10. Santosh Vishwakarma S/o Janakram Aged About 42 Years Panch Ward No. 06, R/o Malda "b" Tahsil Sarangarh, District - Sarangarh- Bilaigarh,



Chhattisgarh.

11. Smt. Radhika Yadav W/o Basant Yadav Aged About 21 Years Panch Ward No. 08, R/o Malda "b" Tahsil Sarangar, District - Sarangarh- Bilaigarh, Chhattisgarh.
12. Smt. Dasmati W/o Sewakram Patel Aged About 55 Years Panch Ward No. 09, R/o Malda "b" Tahsil Sarangar, District - Sarangarh- Bilaigarh, Chhattisgarh.
13. Manoj Kumar S/o Rampyare Patel Aged About 45 Years Panch Ward No. 10, R/o Malda "b" Tahsil Sarangar, District - Sarangarh- Bilaigarh, Chhattisgarh.
14. Poonam W/o Jitendra Nayak Aged About 37 Years Panch Ward No. 11, R/o Village Kansa Gram Panchayat Malda (Wrongly Mentioned In Impugned Order Malha) "b", Tahsil Sarangar, District - Sarangarh- Bilaigarh, Chhattisgarh.
15. Dinesh Kumar S/o Devsingh Sidar Aged About 38 Years Panch Ward No. 12, R/o Village Kansa Gram Panchayat Malda (Wrongly Mentioned In Impugned Order Malha) "b", Tahsil Sarangar, District - Sarangarh- Bilaigarh, Chhattisgarh.
16. Ayush Tiwari Naib Tahsildar, Sarangarh, Presiding Officer Of Meeting Of No. Confidence Motion, Gram Panchayat Malda "b" Sarangarh, District : Sarangarh-Bilaigarh, Chhattisgarh

---- Respondent

<u>11/05/2023</u>	<p>Mr. Rajendra Tripathi, Advocate for the petitioner.</p> <p>Mr. Raghvendra Pradhan, Additional A.G. for the State/respondents No.1 to 4.</p> <p>The default pointed out by the Registry is permitted to be cured within a period of two days.</p> <p>Petition is admitted for hearing.</p> <p>Issue notice to the respondents No. 5 to 16 on payment of P.F.</p>
--------------------------	--



by ordinary as well as by registered mode to be paid within a period of 7 days, failing which the writ petition would stand dismissed without further reference to the Bench.

Also heard on I.A. No.1, which is an application for grant of interim relief.

Considering the findings given by the District Collector in its order showing the presence of all the Panchas during the course of the no-confidence motion meeting, the non-service of notice to all the Panchas cannot be a strong ground for interfering with a no-confidence motion which has been passed with majority, thus prima-facie a strong case for grant of interim relief has been made out.

Accordingly, till the next date of hearing there shall be a stay of the effect and operation of the order (Annexure P/1) dated 21.03.2023 if the same has till date not been acted upon.

**Sd/-
(P. Sam Koshy)
JUDGE**