AMARDEEP CHOUBEY
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2025:CGHC:33

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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 6355 of 2024

1 - Narayan Sahu S/o Indravan Sahu Aged About 45 Years R/o Village Kevtara, Tahsil Saja, District Bemetara (Chhattisgarh)

2 - Roshan Sahu S/o Balram Sahu Aged About 35 Years (Panch), R/o Village Kevtara, Tahsil Saja, District Bemetara (Chhattisgarh)

3 - Nakul Sahu S/o Ram Sajivan Sahu Aged About 35 Years R/o Village Kevtara, Tahsil Saja, District Bemetara (Chhattisgarh)

4 - Smt. Rani Bai W/o Pannalal Sahu Aged About 32 Years (Panch)r/o Village Kevtara, Tahsil Saja, District Bemetara (Chhattisgarh)

5 - Smt. Yashoda Lohar W/o Ajeet Lohar Aged About 30 Years (Panch) R/o Village Kevtara, Tahsil Saja, District Bemetara (Chhattisgarh)

... Petitioner(s)

versus

1 - State of Chhattisgarh Through The Secretary, Panchayat And Rural Development Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, Naya Raipur, District Raipur, Chhattisgarh

2 - The Collector And District Election Officer Bemetara, District Bemetara

(Chhattisgarh)

3 - The Sub-Divisional Officer (R) Saja, District Bemetara (Chhattisgarh)

4 - The Chief Executive Officer Janpad Panchayat, Saja, District Bemetara (Chhattisgarh)

5 - The Deputy Director Panchayat, District Bemetara (Chhattisgarh)

6 - The Secretary Village Panchayat, Kevtara, Janpad Panchayat, Saja, District Bemetara (Chhattisgarh)

... Respondent(s)

For Petitioners	:	Mr. Rajkumar Pali, Advocate
For Respondent/State	:	Mr.Rishabh Bisen, Panel Lawyer

Hon'ble Justice Shri Bibhu Datta Guru

Order on Board

02/01/2025

1. Heard.
2. The petition has been preferred by the petitioners under Article 226 of the Constitution of India, seeking following reliefs:-

> *“10.1. the Hon’ble Court may kindly be pleased to call for the entire records concerned the case of the petitioners from the possession of the respondent authorities for its kind perusal.*
>
> *10.2. this Hon’ble Court may kindly be pleased to set aside the impugned final notification dated 25/10/2024 (Annexure P-7) issued by the Collector,*

District Bemetara C.G. and restored the preliminary Notification dated 14/10/2024.

10.3. any other relief or relief (s) which this Hon'ble Court may deem fit or proper in the facts and circumstances of the case may also be granted along with cost of the petition."

3. Learned counsel for the petitioners submits that the villagers of village Kevtara wrote an application dated 20/09/2024 to the concerned Minister to create a separate village panchayat of Kevtara from the village Padkitola (dependent village) because population of the voters of the village kevtara are 1110 and voters of the village Padkitola are 433 which is above from 1000 voters as prescribed by the State authority. He submits that the population of both the villages are very high, therefore, it is very difficult to develop the village and on this basis, requesting him to separate the village Kevtara from village Padkitola and Kevtara should be made an independent panchayat. He further submits that in course of de-limitation, respondent No.2/Collector, District:Bemetara, C.G. had issued the notification No.4439/panchayat/24-25 dated 25/10/2024, which is against the provision of law. He further submitted that the petitioners are ready to file fresh representation before the respondent No.2/Collector, District:Bemetara, C.G., therefore, this petition may be disposed of directing the respondent No.2/Collector to

decide the representation filed by the petitioners, expeditiously.

4. Learned counsel for the State has no objection to allow the limited prayer made by the petitioners.

5. Having considered the limited prayer made by the petitioners, which is not opposed by the State counsel, this petition is disposed of, granting liberty to the petitioners to file a fresh representation before the respondent No.2/Collector, District Bemetara, C.G. for redressal of their grievance, within 15 days from today, which shall be considered and decided by the respondent No.2/Collector, District: Bemetara, C.G. strictly in accordance with law.

6. With the aforesaid observation(s) and direction(s), this petition stands disposed of.

7. The pending interlocutory application(s), if any, also stands disposed of.

SD/-

(Bibhu Datta Guru)
Judge

Amardeep