



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1568 of 2026

1 - Siddhant Chouhan S/o. Shri Raj Kumar Chouhan Aged About 35 Years R/o.-
Ward No. 5 Bawapara P.S.- Nawagarh, Village Nawagarh, Tehsil- Nawagarh,
District- Bemetara (C.G.)

... Petitioner

versus

1 - State Of Chhattisgarh Through- The Secretary, Department Of Urban
Administration And Development, Mantralaya, Mahanadi Bhawan, Naya Raipur,
Atal Nagar, District- Raipur (C.G.)

2 - The Director Directorate, Department Of Urban Administration And
Development, Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar,
District- Raipur (C.G.)

3 - Deputy Secretary Department Of Urban Administration And Development
Mantralaya, Mahanadi Bhawan, Naya, Raipur, Atal Nagar, District- Raipur (C.G.)

4 - Under Secretary Department Of Urban Administration And Development
Mantralaya, Mahanadi Bhawan, Naya, Raipur, Atal Nagar, District- Raipur (C.G.)

5 - Joint Director Urban Administration And Development Regional Office Durg,
District- Durg (C.G.)

6 - Nagar Panchayat Nawagarh Through- The Chief Municipal Officer,
Nawagarh, District- Bemetara (C.G.)

7 - The Collector Bemetara (C.G.)

... Respondents

Order Sheet

15/04/2026	<p>Mr. Prateek Sharma, counsel for the petitioner.</p> <p>Mr. Shobhit Mishra, Dy. GA for the State/respondent Nos.1 to 5 & 7.</p> <p>Ms. Pratibha Sahu, counsel and Mrs. Madhunisha Singh, counsel for the caveator.</p> <p>Heard.</p> <p>Issue notice to the respondents by both modes.</p> <p>Learned State counsel accepts notice on behalf of respondent Nos.1 to 5 & 7, hence issuance of notice to them is dispensed with.</p> <p>P.F. be paid within a week only for respondent No.6.</p> <p>Also heard on I.A. No.01/2026, application for grant of ad-interim relief/stay.</p> <p>Issue notice to the respondents on this application also, as above.</p> <p>Learned counsel for the petitioner submits that the petitioner belongs to the SC category and was directly elected as the President of Nagar Panchayat Nawagarh, District Bemetara (CG). He was performing his duty in accordance with law; however, on account of political pressure, he has been removed vide impugned order dated 20.03.2026 (Annexure P-1) by invoking extraordinary powers under Section 41-A(1) of the Chhattisgarh Municipalities Act, 1961 (hereinafter referred to as "the Act of 1961"). He has also been debarred from participating in next term under Section 41-A(2) of the Act of 1961 on trivial grounds. Hence, learned counsel prays that interim</p>

protection may be granted to the petitioner.

Per contra, learned State counsel submits that the petitioner failed to constitute the President-in-Council (PIC) as required under Section 70 of the Act of 1961. He further submits that the petitioner approved the construction of a water tank on his own without obtaining prior approval from the Collector and also added six new agenda in the meeting while leaving 27 agenda from an earlier adjourned meeting unaddressed.

In reply, learned counsel for the petitioner submits that the petitioner had already constituted the PIC on 11.03.2025 and sanctioned the construction of the water tank in anticipation of approval from the Collector, as construction was necessary to be done under the scheme of the State Government.

Ms. Pratibha Sahu, learned counsel for the caveator, submits that the petitioner permitted the construction of the water tank without proper constitution and approval of the PIC and committed various other irregularities, therefore interim protection may not be granted to the petitioner.

Undisputedly, the petitioner is a directly elected President of Nagar Panchayat Nawagarh, District Bemetara. Having considered the grounds mentioned in the impugned order and further considering the purpose of constitution of local bodies, purely as an interim measure, it is directed that effect and operation of the impugned order dated 20.03.2026 (Annexure P-1) passed by respondent No.1 shall remain stayed till the next date of hearing, and the petitioner be allowed to function as the President of Nagar

Panchayat Nawagarh, District Bemetara.

Two weeks' time is granted to learned counsel for the respondents to file their reply.

List the case after two weeks.

CC as per rules.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Rukhsar