



2025:CGHC:16566

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(C) No. 2644 of 2021

Dwivedi Traders A Proprietorship Firm Having Its Registered Office At Village Seoni (Marwahi) District Gourella-Pendra Marwahi Chhattisgarh Through Its Sole Proprietor Madhukar Dwivedi S/o Shri H. S. Dwivedi Aged 36 Years, R/o Village Village Seoni (Marwahi) District Gourella-Pendra Marwahi Chhattisgarh

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Versus

- 1** - State Of Chhattisgarh Through The Secretary, Department Of Panchayat And Rural Development, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
- 2** - Collector District Gourella-Pendra Marwahi Chhattisgarh
- 3** - Zila Panchayat District Gourella-Pendra Marwahi Chhattisgarh Through Its Drda, District Gourella-Pendra Marwahi Chhattisgarh
- 4** - Janpad Panchayat Marwahi District Gourella-Pendra Marwahi Chhattisgarh Through Its Chief Executive Officer, Janpad Panchayat Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 5** - Superintendent Of Police District Gourella-Pendra Marwahi Chhattisgarh
- 6** - Additional Superintendent Of Police Gourella-Pendra Road, District Gourella-Pendra Marwahi Chhattisgarh
- 7** - Pratap Singh Maravi President, Janpad Panchayat Marwahi District Gourella-Pendra Marwahi Chhattisgarh
- 8** - Gram Panchayat Podi, District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Podi, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 9** - Gram Panchayat Seoni District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Seoni, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 10** - Gram Panchayat Badrodi District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Badrodi, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 11** - Gram Panchayat Maladand District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Maladand, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 12** - Gram Panchayat Karhni District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Karhni, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 13** - Gram Panchayat Lohari District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Lohari, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh
- 14** - Gram Panchayat Tendumunda, District Gourella-Pendra Marwahi Chhattisgarh,

Through Its Sarpancha, Gram Panchayat Tendumunda, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh

15 - Gram Panchayat Ushad District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Ushad, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh

16 - Gram Panchayat Darmohli District Gourella-Pendra Marwahi Chhattisgarh, Through Its Sarpancha, Gram Panchayat Darmohli, Tahsil Marwahi, District Gourella-Pendra Marwahi Chhattisgarh

Respondents

For Petitioner	: Shri Malay Shrivastava, Advocate.
For Respondent Nos. 3 & 4	: Shri Dhiraj Wankhede, Advocate.
For Respective Respondent Nos. 1 to 5 & 6	: Shri Rohitashava Singh, Dy. G.A. Advocate.

Hon'ble Shri Justice Sachin Singh Rajput

Order on Board

28/02/2026

1. This writ petition has been filed by the petitioner seeking for the following relief :

10.1 That, this Hon'ble Court may kindly be pleased to call for the entire records from the respondent no.4;

10.2 That, this Hon'ble Court may kindly be pleased to quash the order dated 19/06/2021 passed by respondent no.4 bearing no. 1415/Ja.Pa./Shi./2021-22.;

10.3 That this Hon'ble Court may kindly be pleased to quash the enquiry which was conducted by the respondent no.4 against the petitioner.;

10.4 Any other relief(s)/ order(s)/ direction(s) in favour of petitioner, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice;

10.5 Cost of the petition.

2. Challenge in this writ petition is to the notice dated 19.06.2021 (Annexure P-1) issued by the Officiating Panchayat Inspector/ Inquiry Officer (Member),

Janpad Panchayat Marwahi, District – Gorella-Pendra-Marwahi (C.G.) issued to the petitioner which reads as under :-

“जनपद पंचायत मरवाही के अन्तर्गत पंचायतों को प्राप्त 14 वें वित्त की राशि को सचिवों के द्वारा डीएससी के माध्यम से फर्जी रुप से आहरण किये जाने के संबंध में अध्यक्ष/उपाध्यक्ष जनपद पंचायत मरवाही द्वारा लिखित शिकायत कलेक्टर महोदया गौरेला पेण्ड्रा मरवाही के समक्ष किया गया है। जिस पर संबंधित ग्राम पंचायत सचिव-पोडी, सिवनी, बदरौडी, मालाडांड, करहनी, लोहारी, तेन्दूमंडा, उषाढ, दरमोहली द्वारा 14 वें वित्त की राशि का द्विवेदी ट्रेडर्स प्रोप० मधुकर द्विवेदी सिवनी (मरवाही) से सामग्री कय कर सचिवों द्वारा राशि भुगतान किया गया है। उक्त राशि 1,50,000 (शब्दों में एक लाख पच्चास हजार रुपये) आप तत्काल जनपद पंचायत मरवाही में जमा करें। उक्त राशि तीन दिवस के अन्दर जमा करें। अन्यथा आप के विरुद्ध अध्यक्ष/उपाध्यक्ष जनपद पंचायत मरवाही द्वारा उक्त राशि जमा न करने पर आपराधिक मामला दर्ज करने कार्यालय में मांग किया गया है। राशि जमा न करने के स्थिति में आपराधिक मामला दर्ज होने पर समस्त जिम्मेदारी आप का होगा।”

3. Learned counsel for the petitioner submits that without any jurisdiction, the impugned notice was issued to the petitioner.
4. Learned counsel for the respondent Nos. 3 and 4 submits that Annexure P-1 is forged and fabricated documents and it has not been issued by the person whose signature appears on the impugned notice. An Inquiry was conducted by the respondent Nos. 3 and 4 and it was found that such notice was never issued from their office.
5. Heard learned counsel for the parties and perused the record.
6. Thus as the impugned notice does not appear to have been issued by the person whose signature finds place thereupon, the same cannot be acted

upon. Being this, nothing survives for adjudication in this petition. Accordingly, this writ petition is disposed of.

7. All the pending applications are disposed of.

**Sd/-
(Sachin Singh Rajput)
Judge**