



2026:CGHC:20696

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 2219 of 2026**

Smt. Domeshwari Yadav W/o- Gajendra Kumar Yadav Aged About 30 Years Elected Sarpanch, Gram Panchayat Kisna, Janpad Panchayat Daundi Lohara, District- Balod (C.G.)

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through Principal Secretary, Panchayat Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur District- Raipur (C.G.)

2 - Collector, District - Balod (C.G.)

3 - Sub Divisional Officer (R) Cum Prescribed Authority (Panchayat) Daundi Lohara, District - Balod (C.G.)

4 - Chief Executive Officer, Janpad Panchayat, Daundi Lohara, District - Balod (C.G.)

5 - Yomeshwar Das Vaishnav, S/o- Raghunath Das, Aged About 37 Years Panch Ward No.1, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District - Balod (C.G.)

6 - Preetam Lal, S/o- Sundar Lal Aged About 55 Years Panch Ward No.2, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District - Balod (C.G.)

7 - Smt. Dulesh Bai Nishad, W/o- Dashrath Aged About 48 Years Panch Ward No.3, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District - Balod (C.G.)

8 - Yashpal Patel S/o- Chaituram Patel, Aged About 29 Years Panch Ward No.4, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District - Balod (C.G.)

9 - Dameshwar Prasad, S/o- Tikam Lal Aged About 30 Years Panch Ward No.5, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District - Balod (C.G.)



10 - Smt. Kunti Bai Banpela, W/o- Prabhuram Aged About 50 Years
Panch Ward No.6, R/o- Gram Panchayat Kisna, Block Daundi Lohara,
District - Balod (C.G.)

11 - Smt. Sudha Bai, W/o- Purushottam Nonhare Aged About 43 Years
Panch Ward No.7, R/o- Gram Panchayat Kisna, Block Daundi Lohara,
District - Balod (C.G.)

12 - Smt. Dhaleshwari Sahu, W/o- Dev Prasad Sahu, Aged About 42
Years Panch Ward No.8, R/o- Gram Panchayat Kisna, Block Daundi
Lohara, District - Balod (C.G.)

13 - Smt. Temin Nishad, W/o- Suresh Kumar, Aged About 30 Years
Panch Ward No.10, R/o- Gram Panchayat Kisna, Block Daundi Lohara,
District - Balod (C.G.)

14 - Baishakhu Ram, S/o- Jhaduram Sahu Aged About 35 Years Panch
Ward No.11, R/o- Gram Panchayat Kisna, Block Daundi Lohara, District -
Balod (C.G.).

... Respondents

For the Petitioner : Mr. TK Jha, Advocate.
For the State : Mr. SS Choubey, Dy. GA

Hon'ble Mr. Amitendra Kishore Prasad, Judge
Order on Board

04.05.2026

1. Learned counsel for the petitioner would submit that the petitioner was an elected Sarpanch of Gram Panchayat Kisna, Janpad Panchayat Daundi Lohara, District- Balod (C.G.). A notice dated 29.04.2026 seeking No Confidence Motion was issued, which was against the provisions of Rule 3 (3) of the Chhattisgarh Panchayat (Gram Panchayat Ke Sarpanch Tatha UP-Sarpanch, Janapad Panchayat Tatha Zila Panchayat Ke President Tatha Vice-President Ke Virudh Avishwas Prastav) Niyam, 1994 (*for short "the Rules, 1994"*). He would submit that Rule 3 prescribes the specific seven days clear notice before the meeting is held is required to be given;



whereas in the instant case, the notice is dated 29.04.2026. Therefore, that date is excluded and taking the date 30.04.2026, seven days would be up-till 06.05.2026 and the meeting is going to be held on 05.05.2026. Therefore, there is no seven days clear time gap has been given as required under sub-rule 3 of Rule 3 of the Rules, 1994. He placed his reliance in case of ***Shrinarayan Laxman Prasad Tiwari & Ors. v. State of M.P. & Ors.*** reported in **1998 (1) M.P.L.J.**

2. The judgment decided by the Division Bench of the M.P. High Court for the No-Confidence Motion in case of ***Shrinarayan Laxman Prasad Tiwari & Ors. v. State of M.P. & Ors.*** reported in **1998 (1) M.P.L.J.**, para 6 & 7 reads as under :

“6. Rule 3(3) of the Rules, which is relevant for the purpose reads as follows:-

“(3) On receiving the notice under sub-rule (1) the prescribed authority shall satisfy himself about the admissibility of the notice with reference to sections 21(3), 28(3) and 35(3), as the case may be. On being thus satisfied, he shall fix the date, time and place for the meeting of the Gram Panchayat, Janpad Panchayat or Zila Panchayat, as the case may be, which shall not be more than fifteen days from the date of receipt of the said notice. The notice of such meeting specifying the



date, time and place thereof shall be caused to be despatched by him through the Secretary of the Gram Panchayat or Chief Executive Officer of the Janpad or Zila Panchayat, as the case may be, to every member of the Panchayat concerned seven days before the meeting.”

7. A plain reading of the aforesaid provision makes it clear that notice of the meeting to consider the no-confidence motion has to be despatched by the Prescribed Authority through the Secretary of the Gram Panchayat to every member of the Panchayat concerned 7 days before the meeting.”

3. Considering the ratio laid down and the time gap, it is observed that the No-Confidence pursuant to notice dated 29.04.2026 shall not be carried out. Accordingly, the notice dated 29.04.2026 (Annexure P-2) is hereby quashed.
 4. However, it is made clear that this order will not come into way for further consideration of any No-Confidence Motion, which is done in accordance with the Rules, 1994.
 5. In view of the above, the petition is allowed to the above extent.
- CC as per rules.

Sd/-
(Amitendra Kishore Prasad)
Judge