



HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

2026:CGHC:3111

WPC No. 2592 of 2022

Yashwant Baghel S/o Kaliram Baghel Aged About 63 Years Elected sarpanch Of Gram Panchayat Bhaisa, d Block Simga, Tehsil Simga, District Balodabazar Bhatapara Chhattisgarh District Balodabazar Bhatapara, Chhattisgarh.

--- Petitioner

Versus

1. State Of Chhattisgarh Through The Principal Secretary Panchayat And Rural Development Department, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. State Election Commission Through Its Secretary Nirvachan Bhawan, Sector 19, North Block, Naya Raipur Chhattisgarh.
3. The District Election Officer (Panchayat), Balodabazar Bhatapara District Balodabazar Bhatapara, District Balodabazar Bhatapara, Chhattisgarh
4. The Commissioner, Raipour Division, Raipur District Raipur, Chhattisgarh.
5. The Collector, Balodabazar Bhatapara, District Balodabazar Bhatapara, Chhattisgarh.
6. The Prescribed Authority Cum Sub Divisional Officer (Revenue) Simga, District Balodabazar Bhatapara, Chhattisgarh.
7. The Chief Executive Officer, Janpad Panchayat Simga, Balodabazar Bhatapara, Chhattisgarh.
8. Harish Kumar Vaishnav S/o Sohandas Vaishnav, Elected Panch, Ward No. 4, Gram Panchayat Bhaisa, Block Simga, Tehsil Simga, District Balodabazar Bhatapara, Chhattisgarh.

--- Respondents

16/06/2022	Mr. Rakesh Pandey, Counsel for the petitioner. Ms. Akansha Jain, Dy. GA for the State/respondent no.1, 4 & 5. Petition is admitted for hearing. Let notice be issued to only respondent no.2, 3 & 6 to 8 on payment of PF as per rules.



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

Let notice be issued on I.A. No.1 as well.

Petitioner was an elected Sarpanch in February, 2022. He was elected under Section 40 of the Panchayat Raj Adhiniyam vide order dated 4.3.2022. The effect and operation of the order of removal has been stayed by respondent no.5-the commissioner in Revision Petition vide order dated 7.6.2022. Meanwhile, however the Collector has issued election notification for election of Sarpanch of Gram Panchayat, Bhaisa, Janpad Panchayat Simga,, District Baloda Bazar-Bhatapara.

Considering the fact that appeal against the order of removal is already pending before District Collector respondent no.5 and also the fact that Revision petition is also pending before respondent no.4 and coupled with the fact that there is already interim protection in favour of the petitioner so far as execution of the order of removal is concerned, prima facie, a strong case for grant of interim relief has been made out.

Accordingly, there shall be a stay of election to the post of Sarpanch of Gram Panchayat Bhaisa, Janpad Panchayat Simga, District Baloda Bazar-Bhatapara as notified vide Annexure P-1 dated 3.6.2022 till the next date of hearing.

List this case immediately after reply of the respondents are received.

Sd/-
(P. Sam Koshy)
Judge

Rohit