



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2924 of 2026

Gyana Ranjan Dash ***Petitioner***

Mr. S.K. Dalai, Advocate

-versus-

- 1. State of Odisha*** ***Opposite Parties***
represented
through the
Principal Secretary
to Government,
Panchayati Raj
Department,
Odisha
Secretariat, BBSR,
Khurda
- 2. Collector, Cuttack.***
- 3. District Panchayat***
Officer, Cuttack
- 4. Sub-Collector.***
Athagarh, Cuttack
- 5. Block***
Development
officer, Athagarh,
Cuttack
- 6. Tahasildar,***
Athagarh, Cuttack
- 7. Badani Muduli***
- 8. Tulasī Dehury***
- 9. Kartikeswar Jena***
- 10. Anita Mohanty***
- 11. Susanta Behera***
- 12. Asanti Naik***
- 13. Kalpana Bhadra***
- 14. Surita Bhujabal***



15. Laxman Munda
16. Gobinda Behera
17. Jingi Munda
18. Harekrushna
Parida
19. Jitu Dehury

Mr. S.K. Swain, AGA
Mr. S.K. Baral, Adv. (O.P.No.7)

CORAM: JUSTICE V. NARASINGH

ORDER
29.01.2026

Order No.

01. 1. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
2. The Petitioner, who is the Sarpanch of Kandarei Gram Panchayat in the District of Cuttack, assails the very initiation of the process for no confidence motion against him by virtue of notice vide Annexure-1.
3. In support of such submission learned counsel for the Petitioner refers to the endorsement in Annexure-1 that copies of the resolution and requisition were not given to him. Such endorsement, which is in vernacular, is extracted hereunder;



- 22 - ANNEXURE - I

ଉପଜିଲ୍ଲାପାଳଙ୍କ କାର୍ଯ୍ୟାଳୟ, ଆଠଗଡ଼

ପତ୍ର ସଂଖ୍ୟା ୧୨୮ ତାରିଖ ୦୮-୦୮-୨୦୨୨

ସ୍ୱାସ୍ଥ୍ୟ,

ସରପଞ୍ଚ, ନାଏବ-ସରପଞ୍ଚ ଏବଂ ସମସ୍ତ ଓଡ଼ିଆ ସଭ୍ୟ/ସଭ୍ୟା, କଣ୍ଟରୋଲ, ଗ୍ରାମ ପଞ୍ଚାୟତ ।

ବିଷୟ :- କଣ୍ଟରୋଲ ଗ୍ରାମ ପଞ୍ଚାୟତ ସରପଞ୍ଚ ଶ୍ରୀ ଜ୍ଞାନେନ୍ଦ୍ର ଦାସ କ ବିଭାଗରେ ଆଗତ ଅନାମ୍ନା ପ୍ରସ୍ତାବର ଉପରେ
ବୈଠକରେ ଯୋଗଦାନ ସମ୍ପର୍କରେ ।

ମହାରାଜା । ମହାଶୟ,

ଏତଦ୍ୱାରା କଣ୍ଟରୋଲ ଗ୍ରାମ ପଞ୍ଚାୟତରୁ ସରପଞ୍ଚ, ନାଏବ-ସରପଞ୍ଚ ଓ ସମସ୍ତ ଓଡ଼ିଆ ସଭ୍ୟ/ସଭ୍ୟାମାନଙ୍କୁ ଜଣାଉ
ବିଆସାଜ ଅଛି ଯେ, କଣ୍ଟରୋଲ ଗ୍ରାମ ପଞ୍ଚାୟତର ସରପଞ୍ଚ ବିଭାଗରେ ଆଗତ ଅନାମ୍ନା ପ୍ରସ୍ତାବ ସମ୍ପର୍କରେ ନାଏବ ସରପଞ୍ଚଙ୍କ
ସମେତ ଏକ-ତୃତୀୟାଂଶରୁ ଅଧିକ ଓଡ଼ିଆ ସଭ୍ୟ/ସଭ୍ୟାଙ୍କ ଦ୍ୱାରା ସ୍ୱାକ୍ଷରିତ ଏକ ବରାଦି ପତ୍ର ଓ ଏକ ସ୍ୱତନ୍ତ୍ର ବୈଠକର ସଙ୍କଳ୍ପ
ପତ୍ରର ନକଲ ନିମ୍ନ ସ୍ୱାକ୍ଷରକାରୀଙ୍କ ହସ୍ତଗତ ହୋଇଅଛି । ଏହି ଓଡ଼ିଶା ଗ୍ରାମ ପଞ୍ଚାୟତ ଆଇନ, ୧୯୬୪ ଧାରା ୨୪ (୨) (c)
ପ୍ରକାରେ ଉକ୍ତ ଅନାମ୍ନା ପ୍ରସ୍ତାବ ଆଲୋଚନା ନିମନ୍ତେ ଏକ ସ୍ୱତନ୍ତ୍ର ବୈଠକ ଆସନ୍ତା ତା ୩୦.୦୧.୨୦୨୨ ରିଖ ପୂର୍ବଦି ୧୧ ଘଟିକା
ସମୟରେ କଣ୍ଟରୋଲ ଗ୍ରାମ ପଞ୍ଚାୟତ କାର୍ଯ୍ୟାଳୟର ସଭାଗୃହ ଠାରେ ଅନୁଷ୍ଠିତ ହେବା ପାଇଁ ଦିନ ଧାର୍ଯ୍ୟ କରାଯାଇଅଛି ।
ସମ୍ପୂର୍ଣ୍ଣ ଆଇନରୁ ଧାରା ୨୪ (୨) (୧) ଅନୁସାରେ ଶ୍ରୀ କୁଞ୍ଜବିହାରୀ ବଡ଼ଜେନା, ତହସିଲଦାର, ଆଠଗଡ଼ ଏହି ବୈଠକରେ
ସଭାପତିତ୍ୱ କରିବା, ସଭା କାର୍ଯ୍ୟ ପରିଚାଳନା କରିବା ଓ ନିୟନ୍ତ୍ରଣ କରିବା ପାଇଁ କ୍ଷମତା ପ୍ରଦାନ କରାଯାଇଅଛି ।

ଏହି ନିର୍ଦ୍ଦିଷ୍ଟ କୃତ୍ତିକା, ସମୟ ଓ ସ୍ଥାନରେ ଉପସ୍ଥିତ ରହି ଉକ୍ତ ସ୍ୱତନ୍ତ୍ର ବୈଠକରେ ଯୋଗଦାନ କରି ଅନୁପସ୍ଥାପନ
କରିବାକୁ ଆପଣଙ୍କୁ ଅନୁରୋଧ କରାଗଲା । ଏଥି ସହିତ ଗ୍ରାମ ପଞ୍ଚାୟତର ନାଏବ-ସରପଞ୍ଚ ଓ ଓଡ଼ିଆ ସଭ୍ୟ/ସଭ୍ୟା ମାନଙ୍କ
ଦ୍ୱାରା ଦାଖଲ କରାଯାଇଥିବା ଅନାମ୍ନା ପ୍ରସ୍ତାବ ସମ୍ପର୍କରେ ବରାଦି ପତ୍ର ଏବଂ ସ୍ୱତନ୍ତ୍ର ବୈଠକର ସଂକଳ୍ପ ପତ୍ରର ନକଲ ସଂଲଗ୍ନ
କରାଗଲା ।

ଉପଜିଲ୍ଲା ପାଳ, ଆଠଗଡ଼
ତାରିଖ ୦୮.୦୮.୨୦୨୨

ଉପପତ୍ର ନମ୍ବର ସଂଖ୍ୟା - ୧୩୦ ତା ୦୮-୦୮-୨୦୨୨

ଏହାର ଏକକିତା ନକଲ ଗୋଷ୍ଠି ଉଦ୍ଦୟନ ଅଧିକାରୀ, ଆଠଗଡ଼ କ ଅବଗତ ତଥା ବିହିତ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ
ପ୍ରେରଣ କରାଗଲା ଏବଂ ଉକ୍ତ ନୋଟିସର ନକଲ ସହିତ ବରାଦି ପତ୍ର ଏବଂ ସ୍ୱତନ୍ତ୍ର ବୈଠକର ସଂକଳ୍ପ ପତ୍ରର ନକଲ
ପଞ୍ଚାୟତ ସମିତି ନୋଟିସ ବୋର୍ଡରେ ପ୍ରକାଶନ କରିବା ନିମନ୍ତେ ଜଣାଇ ଦିଆଗଲା ।

ଉପଜିଲ୍ଲା ପାଳ, ଆଠଗଡ଼
ତାରିଖ ୦୮.୦୮.୨୦୨୨

ଉପପତ୍ର ନମ୍ବର ସଂଖ୍ୟା - ୧୩୧ ତା ୦୮-୦୮-୨୦୨୨

ଏହାର ଏକକିତା ନକଲ, ଶ୍ରୀ କୁଞ୍ଜବିହାରୀ ବଡ଼ଜେନା, ତହସିଲଦାର, ଆଠଗଡ଼ କ ଅବଗତ ତଥା ବିହିତ
କାର୍ଯ୍ୟାନୁଷ୍ଠାନ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।

ଅଧ୍ୟକ୍ଷ ତା ୧୫/୦୧/୨୦୨୨ ଦିନ ସଂଖ୍ୟା ୫୨୫ ନିମ୍ନଲିଖିତ ଲେଖକ
କମିଶନରୀ, ପ୍ରକାଶ ଆଦି ନିମ୍ନଲିଖିତ
କମିଶନରୀ, ପ୍ରକାଶ ଆଦି ନିମ୍ନଲିଖିତ
Kandarel G.P. ୧୫/୦୧/୨୦୨୨ ଦିନ ୧୨:୨୫ PM
ଉପଜିଲ୍ଲା ପାଳ, ଆଠଗଡ଼
ତାରିଖ ୦୮.୦୮.୨୦୨୨

4. Referring to the provisions as contained in Section 24(2)(c) of the Odisha Gram Panchayat Act, 1964, it is submitted by Mr. Dalai, learned



counsel for the Petitioner that non-supply of the resolution and requisition are patently violative of the statutory mandate under Section 24(2)(c) of the Odisha Gram Panchayat Act, 1964. As such, consequential steps taken are tainted with illegality and therefore, the matter merits consideration of this Court.

5. Learned counsel, Mr. S.K. Baral has appeared by filing caveat petition on behalf of Opposite Party No.7, who is a ward member and one of the requisitionists. Copy of the writ petition has been served on him.

6. Referring to the recitals of the caveat petition along with Annexures, it is stated by learned counsel Mr. Baral that this Court is being mislead and in fact the copies of the proposed resolution along with the notice have been duly served and with ulterior motive the Petitioner has refused to receive the same so that he can somehow continue defeating the democratic will of the people. Hence, that ought not to weigh with this Court and writ petition should not be entertained.

7. Learned counsel for the State also supports such submission and states that ex-facie there is no illegality and the endorsement as being made in the



notice at Annexure-1 has only been done with a view to somehow maintain the writ petition before this Court.

Such submission is also reiterated in respect of the representation submitted by registered post to the Sub-Collector, Athagarh.

8. Considering the rival submissions, this Court is persuaded to hold that the matter merits consideration and accordingly, issue notice to the Opposite Parties.

9. Since learned counsel for the State accepts notice on behalf of the Opposite Party Nos.1 to 6, no further notice need be issued to the said Opposite Parties.

Notice to Opposite Party Nos.8 to 19 be issued by Speed Post. Requisites shall be filed by 04.02.2026.

10. List this matter on 23.02.2026.

11. It shall be open for the State as well as private Opposite Parties to file their counter /reply, if any, by 16.02.2026 after serving a copy thereof on the learned counsel for the Petitioner.

12. Learned counsel for the State is also requested to obtain the relevant records for perusal of this Court, if so required, on the appointed date.



13. Copy of this order be made over to the learned counsel for the State to enable him to take necessary follow up action.

(V. Narasingh)
Judge

I.A. No.1946 of 2026

Order No.

02. Heard. Issue notice as above. Accept one set of process fee.

1. As an interim measure, it is directed that the no confidence motion scheduled for tomorrow (30.01.2026) relating to the Office of Sarpanch of Kandarei Gram Panchayat in the District of Cuttack may take place but the result thereof shall not be published, without the leave of this Court.

2. UCC in course of the day. List this matter on the date fixed.

(V. Narasingh)
Judge

Santoshi