



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3088 of 2025

Kamalakanta Nayak & another Petitioners
Mr. A.K. Sahoo, Advocate

-Versus-

State of Odisha & others Opposite Parties
Mr. C.M. Singh, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
04.02.2025

Order No.

01. 1. Heard Mr. Sahoo, learned counsel for the petitioners.
2. Instant writ petition is filed by the petitioners challenging the no confidence motion with the issuance of notice dated 8th January, 2025 as at Annexure-1 by learned Sub-Collector, Balasore, namely, opposite party No.3 on the grounds stated therein.
3. Learned counsel for the petitioners submits that there has been no receipt of notice by petitioner No.1, against whom, the no vote of confidence has been initiated, in connection with which, the requisition has been received by opposite party No.3. It is further submitted that there is non-compliance of Section 24(2)(c) of Gram Panchayats Act, as the requisition is not submitted with the required quorum. It is further submitted that one of the Ward Members has resigned on 20th February, 2024 and another, died on 2nd September, 2022. With such submission, learned counsel for the petitioners claims that the action initiated against petitioner No.1 being the Sarpanch of the concerned G.P. is liable to be quashed.
4. Considering the facts pleaded on record and submission of learned counsel for the petitioners, the Court is inclined to consider the response of the State and particularly, opposite party



No.3 and hence, directs Mr. Singh, learned ASC for the State to file an affidavit in view of the plea of the petitioners and in particular, petitioner No.1 and to respond on the next date.

5. List this matter on 18th March, 2025 for orders.

(R.K. Pattanaik)
Judge

I.A. No.1610 of 2025

- 02.
1. Heard Mr. Sahoo, learned counsel for the petitioners and State.
 2. Instant petition is filed by the petitioners seeking stay of the no confidence motion to be held on 5th February, 2025, in view of Annexure-1 for the reason stated.
 3. Though, the Court is not inclined to stay the vote of no confidence to be held on the date fixed but awaiting response of the State and in particular, opposite party No.3 directs that the result of such motion shall not be published, till the next date.
 4. List on the date fixed.
 5. Urgent certified copy of this order be issued as per rules and in course of the day.
 6. A copy of the order is directed to supply on Mr. Singh, learned ASC for the State for its onward intimation to opposite party No.3.

(R.K. Pattanaik)
Judge