



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 37141 of 2025

***Himanshu Sekhar
Behera***

....

Petitioner

Mr. M.K. Khuntia, Advocate

-versus-

***1. Gyanendra Sai Patel Opposite Parties
2. Nilamadhab Suna
3. Prabhat Kumar Seth***

CORAM: JUSTICE V. NARASINGH

ORDER

24.02.2026

Order No.

03. 1. Perused the order passed by the learned Additional District & Sessions Judge, Patnagarh in Election Appeal No.01 of 2025, which is assailed in the present writ petition.
2. The Petitioner as the defeated candidate for the post of Sarpanch of Bhainsa Grama Panchayat filed election Misc. Case No.09 of 2022 in the Court of learned Civil Judge (Junior Division) Patnagarh, Dist-Balangir. Having failed to persuade the said Court to interfere, he preferred Election Appeal No.01 of 2025 as noted above.
3. Paragraph 13 of the impugned order reads as under;

“13. In the present appeal although the appellant has challenged the judgment passed by



the learned Trial Court on its entirety but during course of argument the learned counsel for the appellant as well as OPs confined their argument and cross-argument only on the point of disqualification of the respondent No. 1 for the post of Sarpanch of Bhainsa Gram Panchayat as per the provision of Sec. 25 sub clause (1) (t) of the O.G.P. Act. As neither party did dispute or advance their argument with regard to other issues decided by the learned Trial Court as such it is deemed to have been conceded by both the parties.”

4. It is submitted by the learned counsel for the Petitioner that on a bare reading of the order passed by the Appellate Court and the conclusion arrived at that the Petitioner does not incur any disqualification in terms of Section 25(1)(t) of Odisha Grama Panchayat Act, 1964 is against the material on record and the analysis thereof is untenable.
5. Considering such submission and the recitals, this Court is persuaded to hold that the judgment passed by the Appellate Court merits examination.
6. Admit.
7. Issue notice to the Opposite Parties by Speed Post. Requisites shall be filed by 27.02.2026.
8. List this matter on 25.03.2026.

(V. Narasingh)
Judge