

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1308 of 2026**

Smt. Neelima Sahu W/o Shri Shiva Sahu Aged About 31 Years R/o House No. 29,
Ward No. 03, Somani, Tahsil And District- Rajnandgaon (CG)

... Petitioner**versus**

1 - State Of Chhattisgarh Through The Secretary Panchayat Department Mahanadi
Bhawan, Capital Complex, Atal Nagar, New Raipur, Distt. Raipur (Cg)

2 - Sub Divisional Officer (Revenue) Prescribed Officer Rajnandgaon, District-
Rajnandgaon (Cg)

3 - Chief Executive Officer Janpad Panchayat Rajnandgaon District- Rajnandgaon
(Cg)

4 - Nayab Tahsildar, Rajnandgaon Presiding Officer, Tahsil- Rajnandgaon, District-
Rajnandgaon (Cg)

.. Respondents

For Petitioner	:	Mr. Sunil Sahu, Advocate
For Respondents 1, 2 & 4/State	:	Mr. Anand Dadariya, Dy. Advocate General
For Respondent No.3	:	Mr. Soumitra Kesharwani, Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****25.03.2026**

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner was an elected Sarpach of Gram Panchayat Somni, Distt. Rajnandgaon. Notice dated 18.3.2026 (Annexure-P/1) seeking No-confidence motion was issued by Sub Divisional Officer (Revenue), Rajnandgaon, 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 18.3.2026 and seven days would be up-till 25.3.2026, i.e. today and the meeting is going to be held today. 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.** and Order dated 19.3.2021 passed by the Coordinate Bench in **WPC No.1689/2021 (Santosh Kumar Kaiwart vs. State of Chhattisgarh & Ors.)**

3. 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 (supra)** 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.”

4. Aforesaid judgment has also been relied by this Court in **Santosh Kumar Kaiwart** (supra).
5. Considering the ratio laid down and the time gap, it is observed that the No-Confidence Motion pursuant to notice dated 18.3.2026 (Annexure P-1) shall not be carried out. Accordingly, the notice dated 18.3.2026 (Annexure P-1) is quashed. It is further 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.
6. In view of the above, the petition is allowed to the above extent.
7. Learned counsel for the State is directed to apprise respondent No.2 about this order immediately.
8. Pending interlocutory application(s), if any, stands disposed of.

Certified copy today.

Sd/-

(Naresh Kumar Chandravanshi)

Judge