

A.F.R.



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C). No.31157 of 2025

In the matter of an application under Article 226 & 227 of
the Constitution of India.

Smt. Gunduri Singh

....

Petitioner

-versus-

1. State of Odisha,
represented through the
Principal Secretary to
Government,
Panchayatiraj & Drinking
Water Department,
Odisha Secretariat,
Sachivalaya Marg, BBSR,
Khurdha
2. Collector, Mayurbhanj
3. Sub- Collector & SDM,
Kaptipada, Udala,
Mayurbhanj
4. Block Development
Officer, Udala,
Mayurbhanj
5. District Panchayat Officer,
Mayurbhanj

Opposite Parties

For Petitioner

: Mr. P.K. Rath, Sr. Advocate
Mr. S. Rath, Advocate

For Opposite Parties

: Mr. P.K. Ray, AGA
Mr. M.K. Pati, Adv. (Intervenors)

CORAM:
JUSTICE V. NARASINGH



DATE OF FINAL HEARING : 14.05.2026

DATE OF JUDGMENT : 20.05.2026

V. Narasingh, J. Heard learned Senior Counsel for the Petitioner, learned counsel for the State and learned counsel for the Intervenors.

1. The Petitioner, Naib-Sarpanch holding the office of Sarpanch of Nuagaon Gram Panchayat in the district of Mayurbhanj, has assailed the notice No. 4711 dated 23.10.2025 (Annexure-1) for convening the meeting of 'No Confidence Motion' against Smt. Gunduri Sing, the Naib-Sarpanch of Nuagaon GP, scheduled to be held on 10.11.2025.

2. This Court, by order dated 06.11.2025, while issuing notice in the writ petition, in I.A. No. 19549 of 2025, directed that "the motion to be held on the date fixed but the result of the same shall not be published till the next date of hearing."

The said interim order is still in vogue.

3. It is apt to note that this Court took note of the submission of the learned Senior Counsel in Paragraph-3 of the order dated 06.11.2025 while issuing notice.

Paragraphs-3 and 4 of the said order is extracted hereunder;



“3. The submission of Mr. Rath, learned Senior Advocate appearing for the petitioner is that the notice in question has not been received by the petitioner along with the proposed resolution and requisition, hence, the action under Section 24 of the Odisha Grama Panchayats Act is vitiated.

4. In view of the above plea, Mr. Swain, learned AGA for the State is requested to receive notice for the opposite parties and to take instructions and reply on the next date for final orders. An extra copy of the writ petition with annexures is directed to be served on the State in course of the day.”

4. The relevant recitals in the writ petition, to fortify such submission of the learned Senior Counsel, as stated in paragraphs-2(a) and (b) as well as paragraphs-9 to 12, are extracted hereunder along with the prayer:

“2. That the main grounds of challenge in this Writ Petition are;

(a) The mandatory requirement of law as contained in the Gram Panchayat Act regarding furnishing of a requisition since is not complied with, the notice issued under Annexure-1 is contrary to law and is liable to be quashed.

(b) The impugned notice under Annexure-1 did not accompany a copy of requisition and proposed resolution as required under



Section-24(2)(c) of Orissa Gram Panchayat Act. Hence, the entire proceeding is without jurisdiction and is liable to be quashed.

xxx

xxx

xxx

9. That the Sub-Collector & SDM has issued notice dated 23.10.2025 without accompanying any requisition and proposed resolution. The petitioner has not been served with copy of the notice accompanying requisition and proposed resolution.

10. That the mandatory provision of law as stipulated under Section-24(2)(c), the Notice issued by Sub-Collector must accompany requisition and proposed resolution to be passed.

11. That although the notice states that the copy of requisition and resolution attached thereto but as a matter of fact no such requisition and resolution is received by the petitioner along with the notice. This fact is mentioned by the petitioner when the notice was sought to be served by the PEO.

12. That the mandates of law as required are service of copy of proposed resolution, which is to be moved in the meeting against the naib-sarpanch. Since no proposed resolution and requisition has been served along with notice, there is a clear infraction and departure of law as provided under section 24 of Gram Panchayat Act. Moreover such non service



has seriously prejudiced the petitioner. The Petitioner does not know what is to be moved and replied by the petitioner.

xxx

xxx

xxx

"Prayer

The petitioner therefore, prays that your Lordships would be graciously pleased to admit this Writ Petition, call for the records and after hearing the parties allow the same, issue writ/writs in the nature of certiorari/ mandamus and/or any other further writ/direction, quashing the proceedings of "No Confidence Motion" against the petitioner by the Sub Collector & SDM, Kaptipada, Udala under Annexure-1.

And for this act of kindness, the petitioners shall as in duty bound ever pray.

xxx

xxx

xxx"

5. In response to the notice, counter affidavit was filed by State-Opposite Party Nos. 2 to 5 and nine (9) Ward Members, who are the requisitionists, filed I.A. No. 21906 of 2025 for intervention.

Though the intervention has not been allowed, with the consent of the parties, the learned counsel for the interveners, Mr. Pati, was also allowed to put forth his stand. It may not be out of place to state here that the interventionist



echoed the stand of the State-Opposite Parties seeking dismissal of the writ petition.

6. To fortify their submission, learned Senior Counsel for the Petitioner has relied on the judgment of the Full Bench of this Court in the case of ***Nabanita Kapat Patra v. Collector, Kandhamal***¹, as well as in the cases of ***Prahallad Dalei vs. State of Odisha***² and ***Damayanti Hansda v. State of Odisha***³ and judgment of the Apex Court in the case of ***Kavita v. State of Uttar Pradesh & others***⁴.

7. Mr. Ray, learned Additional Government Advocate for the State relies on the judgments of this Court in the cases of ***Prahallad Dalei vs. State of Odisha***², ***Sulochana Sethy v. The Collector, Puri and others***⁵ and ***Jagyensni Oram v. State of Odisha and others***⁶.

8. It is apt to note that the order passed by the learned single judge in ***Jagyanseni Oram (supra)***⁶ is stated to be subject matter of challenge in W.A. No.652 of 2025.

9. In response to the recitals in the writ petition, the State filed counter as noted and the

¹ *Nabanita Kapat Patra v. Collector*, 2025 SCC OnLine Ori 4218

² *Prahallad Dalei v. State of Odisha*, 2015 SCC OnLine Ori 395

³ *Damayanti Hansda v. State of Odisha*, 2020 (III) ILR-CUT-126

⁴ *Kavita v. State of Uttar Pradesh*, 2018 (10) SCC 569

⁵ *Sulochana Sethy v. Collector*, 2021 SCC OnLine Ori 2523: AIR 2022 Ori 89

⁶ *Jagyanseni Oram v. State of Odisha and others*, W.P.(C) No.1312 of 2025 (disposed of on 28.02.2025)



stand taken by the Petitioner in paragraphs-2(a) and (b) regarding non-receipt of requisition as stated in para-2(a) of the writ petition and copy of requisition and proposed resolution not being part of Annexure-1 notice in para-2(b) of the writ petition have been denied in para-7 of the counter affidavit, so also, the averments in paras- 9 to 12 have been controverted in para-8 of the counter affidavit.

9-A. Paragraphs-6 to 8 of the counter affidavit are extracted hereunder for convenience of reference;

"6. That the averments made in Para- 1 of the writ petition are not correct and hereby denied. It is humbly submitted that on 10.09.2025, Nine (9) numbers of Ward Members out of Eleven (11) numbers of Ward Members of Nuagaon Gram Panchayat under Udala Block have submitted the petition along with requisition/resolution copy of the Resolution dtd.08.09.2025 against the Naib-Sarapanch with various allegations to the Sub-Collector, Kaptipada which was duly signed by the Ward Members of Nuagaon Gram Panchayat for "No Confidence Motion" against the concerned Naib-Sarapanch Smt.Gundudri Singh.

After receiving the said Requisition and Resolution, the Sub-Collector, Kaptipada, Udala issued a letter dtd.



08.10.2025 to the Block Development Officer, Udala and all the requisitionists to remain present in his office on 17.10.2025 for verification of the signature of the requisitionists. In the said letter dtd. 08.10.2025 request was also made for presence of Panchayat Executive Officer, Nuagaon Gram Panchayat and Gram Panchayat Development Officer, Udala Block. The said letter was communicated to all the Ward Members (requisitionists) and they have also acknowledged the receipt of the same, giving a receipt for the purpose. Thereafter, the signature of Ward Members was verified by the Sub-Collector, Kaptipada and found to be genuine.

Copies of the Resolution dtd. 08.09.2025, Requisition dtd. 10.09.2025 and Letter dtd. 08.10.2025 issued by the Sub-Collector, Kaptipada are annexed herewith as Annexures-A/4, B/4 and C/4 respectively.

7. That the averments made in Para-2(a) & 2(b) of the writ petition are not correct and hereby denied. It is humbly submitted that the Notice dated 23.10.2025 (Annexure-1) along with Resolution dtd. 08.09.2025 and Requisition dtd. 10.09.2025 was issued by the Sub-Collector & SDM, Kaptipada, Udala to all the Ward Members including Naib-Sarapanch for holding of a "No Confidence Motion" on 10.11.2025 at 11 AM at Nuagaon Gram Panchayat Office as



per Section 24(2)(c) of the Orissa Gram Panchayat Act, 1964 against Smt. Gunduri Singh, the Naib Sarapnach. The said notice was served on the Ward Members and Naib Sarapanch by the Panchayat Executive Officer, Nuagaon Gram Panchayat. After serving notice, the Panchayat Executive Officer has obtained the signature of Naib-Sarapanach and 10 other Ward Members acknowledging receipt of notice by them along with the copy of proposed Resolution and the Requisition.

Copy of the Notice No. 4711 dtd.23.10.2025 and the Receipt showing service of proposed Requisition and Resolution are annexed herewith as Annexure-D/4 & E/4 respectively.

8. That the averments made in paras-3 to 13 of the writ petition are not correct and hereby denied. It is humbly submitted that the Notice dtd.23.10.2025 has been issued to the Naib Sarapanch and other Ward Members along with copy of the resolution and requisition and the same has been received by all of them and for that purpose receipt has also been obtained by the Panchayat Executive Officer, Nuagaon Gram panchayat. Therefore, the allegation made by the petitioner is absolutely false and baseless. The rest of the averments made by the petitioner are mere facts which are not necessary to reply to decide the real dispute involved in the present case."



10. **It would be apposite to state here that no rejoinder has been filed by the Petitioner.**

11. On a bare perusal of the uncontroverted assertion in the said paragraphs, it is seen that the primary ground of challenge as stated in the writ petition, and which was succinctly quoted by this Court while issuing notice, is negated by the averments in the counter, which, at the cost of repetition, have gone unchallenged.

12. On a bare perusal of Annexure-E/4, which is in terms of the impugned Notice at Annexure-1 bearing No. 4711 dated 23.10.2025, it is seen that the same has been received by the Petitioner along with the requisition and resolution.

For convenience of reference, the said Annexure is extracted hereunder;

Received Letter No. 4711/D1-23-10-25, sub-collection officer, Kapilpada, udala along with requisition and resolution

1. Gunduri Singh (wd-6) (Naib Sanparch) - ଗୁଣ୍ଡୁରି ସିଂହ
2. Rebati Hembam (wd-1) - Rebati Hembam
3. Karuni Hembam (wd-2) - କରୁଣି ହେମ୍ବମ
4. Gurubani Singh (wd-3) - ଗୁରୁବାନୀ ସିଂହ
5. Sukura Singh (wd-5) - ସୁକୁରା ସିଂହ
6. Rani Muremu (wd-6) - ରାଣି ମୁରମୁ
7. Pragasmita patra (wd-7) - Pragasmita Patra
8. Ramesh ch. Mashi (wd-8) - Ramesh chandra Mashi
9. Hemanta ku Dakua (wd-9) - Hemanta ku Dakua
10. Lembudhara Naik (wd-10) - Lembudhara Naik
11. Laxminani Behera (wd-11) - Laxminani Behera

13. Referring to the recitals of the counter affidavit, learned counsel for the State, Mr. Ray, AGA, submits that the sole ground of challenge in the writ petition, being not sustainable, in view of



the uncontroverted documents on record, the writ petition is liable to be rejected on the said score alone.

14. Mr. Rath, learned Senior Counsel for the Petitioner, however, urged that there is no embargo for this Court to consider as to whether the resolution satisfies the test of "resolution proposed and proposed resolution" in section 24(2)(a) and (c)⁷ the Orissa Grama Panchayats

⁷ **24. Vote of no confidence against Sarpanch or Naib - Sarpanch :-**

(1) Where at a meeting of the Grama Panchayat specially convened by the Sub-divisional Officer in that behalf a resolution is passed, supported by a majority of not less than two-thirds of the total membership of the Grama Panchayat, regarding want of confidence in the Sarpanch or Naib-Sarpanch the resolution shall forthwith be forwarded by the Sub-Divisional Officer to the Collector, who shall immediately on receipt of the resolution publish the same on his notice-board and with effect from the date of such Publication the member holding the Office of Sarpanch or the Naib-Sarpanch, as the case may be, shall be deemed to have vacated such Office.

(2) In convening a meeting under Sub-Section (1) and in the conduct of business at such meeting the procedure shall be in accordance with such rules, as may be prescribed, subject however to the following provisions, namely :

a) no such meeting shall be convened except on a requisition signed by at least one-third of the total membership of the Grama Panchayat along with a Copy of the resolution proposed to be moved at the meeting;

(b) the requisition shall be addressed to the Sub-Divisional Officer;

(c) the Sub-Divisional Officer on receipt of such requisition shall fix the date, hour and place of such meeting and give notice of the same to all the members holding Office on the date of such notice along with a Copy of the requisition and of the proposed resolution, at least fifteen clear days before the date so fixed;

(d) the aforesaid notice shall be sent by post under Certificate of posting and a Copy thereof shall be published at least seven days prior to the date fixed for the meeting in the notice-board of the Samiti;

(e) the proceedings of the meeting shall not be invalidated merely on the ground that the notice has not been received by any member;

(f) the Sub-Divisional Officer or if he is unable to attend, any Gazetted Officer specially authorised by him in that behalf shall preside over, conduct and regulate the proceedings of the meeting.



Act, 1964 in the light of the judgment of this Court in the case of ***Damayanti Hansda (supra)***³.

15. This Court finds force in such submission, since the ground that the resolution does not conform to the stipulations as in Section 24(2)(a) and (c)⁷ of the Orissa Grama Panchayats Act, 1964, being a matter of interpretation, can be

(g) the voting at all such meetings shall be by secret ballot;

(h) no such meeting shall stand adjourned to a subsequent date and no item of business other than the resolution for recording want of confidence in the Sarpanch or Naib-Sarpanch, as the case may be, shall be taken up for consideration at the meeting;

(i) if the number of members present at the meeting is less than two-thirds of the total membership of the Grama Panchayat, the resolution shall stand annulled;

(j) if the resolution is passed at the meeting supported by the majority as specified in Sub-Section (1) the Presiding Officer shall immediately forward the same in original along with the record of the proceedings to the Collector who shall forthwith publish the resolution in accordance with the provisions of Sub-Section (1); and

(k) where any Gazetted Officer presides at the meeting the shall, without prejudice to the provisions of Clause (j), also send a Copy of the resolution to the Sub-divisional Officer for information and such action as may be necessary.

(3) When a meeting has been held in pursuance of Sub-Section (2) for recording want of confidence in the Sarpanch or Naib-Sarpanch, as the case may be, no fresh requisition for a meeting shall be maintainable—

(a) in cases falling under Clauses (i) and (j) of the said Sub-Section or where the resolution is defeated after being considered at the meeting so held, before the expiry of one year from the date of such meeting; or

(b) where the notification calling for general election to the Grama Panchayat has already been published under or in pursuance of Section 12.

(4) Without prejudice to the provisions of Sub-Section (3) no requisition under Sub-Section (2) shall be maintainable in the case of a Sarpanch or Naib-Sarpanch, as the case may be, before the expiry of two years from the date on which such Sarpanch or Naib-Sarpanch enters Office :

Provided that all requisitions received under Sub-Section (2) prior to the date of commencement of the Orissa Grama Panchayats (Second Amendment) Act, 1993, in which no meeting for recording want of confidence has been held by the said date, shall stand abated.



16. The submission of learned Senior Counsel Mr. Rath is that the absence of the word "proposed" in the notice at Annexure-1 renders it otiose and consequently, the entire process of convening the meeting to consider the "No Confidence Motion" against the Petitioner is non est in law.

However, this contention cannot be countenanced in view of the resolution at Annexure-A/4 and the requisition at Annexure-B/4 (annexed to the counter of Opposite Party Nos. 2 to 5) and, constraining the same in the light of Section 24(2)(c)⁷ of the Orissa Grama Panchayats Act, 1964, on the touchstone of the Full Bench judgment in ***Nabanita Kapat Patra v. Collector, Kandhamal***¹, also in view of the time tested principle of "substance over form."

17. The next issue which arises for consideration is as to whether the resolution at Annexure-A/4 conforms to the test of "resolution proposed" and "proposed resolution" in Section 24(2)(a) and (c)⁷ of the Orissa Grama Panchayats Act, 1964 respectively.

18. To buttress his submission that the resolution is not the "proposed" resolution but in fact is a communication of a decision already taken, thereby prejudging the issue, and such



approach being not envisaged under Section 24(2)(c)⁷ of the Orissa Grama Panchayats Act, 1964, the learned Senior Counsel for the Petitioner relies heavily on the judgment of this Court in the case of ***Damayanti Hansda (supra)***³.

18-A. It is submitted by the learned Senior Counsel, Mr. Rath that the learned Single Judge in the case of ***Damayanti Hansda (supra)***³, by judgment dated 06.05.2020, referred to Odia Language Lexicon "Purna Chandra Bhasakosha" compiled by the doyen of Odia literature, Late Shri Gopal Chandra Praharaj. And, on a prespicuous analysis of the notice assailed therein, which was in vernacular (Odia), came to the finding that the Annexure-1 therein is not in terms of Section 24(2)(c)⁷ of the Orissa Grama Panchayats Act, 1964.

For better appreciation, the notice in the case of ***Damayanti Hansda (supra)***³ is extracted hereunder;



ଉପ-ଜିଲ୍ଲାପାଳ, କସ୍ତିପଦା, ଉଦଳାକ କାର୍ଯ୍ୟାଳୟ

ନୋଟିସ୍ ନଂ - ୨୯୫୫ / ତା - ୧୪.୧୦.୨୫

ଓଡ଼ିଶା ଗ୍ରାମପଞ୍ଚାୟତଆଇନ ୧୯୬୪ର ଧାରା ୨୪ (୨)(ଗ) ପ୍ରକାରେ ଆମେ ଶ୍ରୀ ଭଗବାନବେଦେରା, ଓଡ଼ିଶା ପ୍ରଶାସନିକସେବା (୧)(ବରିଷ୍ଠ) ଉପ-ଜିଲ୍ଲାପାଳ କସ୍ତିପଦା, ଉଦଳା, ଏତଦ୍ ଦ୍ୱାରା ବତଗୁଡ଼ୁଗୁଡ଼ିଆ ଗ୍ରାମପଞ୍ଚାୟତର ସରପଞ୍ଚ ଓ ସମସ୍ତ ଖର୍ଚ୍ଚ ସଭ୍ୟ, ସଭ୍ୟା, କୁ ଜଣାଇ ଦିଆଯାଇ ଅଛିଯେ, ଆସନ୍ତା ତା ୩୦.୧୦.୨୫ ରିଖ ପୂର୍ବରୁ ୧୧ ଘଟିକା ସମୟରେ ଗ୍ରାମପଞ୍ଚାୟତ ଗୃହ ଠାରେ ଏକ ସ୍ୱତନ୍ତ୍ର ଅଧିବେଶନ ଅନୁଷ୍ଠିତ ହେବ । ଉକ୍ତ ଶେଠିକ୍ରେ ସରପଞ୍ଚ କ ବିରୁଦ୍ଧରେ ଅଣାଯାଇଥିବା ଅନାୟା ପ୍ରସ୍ତାବ ଉପରେ ଆଲୋଚନା କରାଯିବ । ଏଥିସହିତ ଆଲୋଚ୍ୟ ଓ ପ୍ରସ୍ତାବର ନିକଲ ସଂଲଗ୍ନ କରାଗଲା ।

ଏହି ବତଗୁଡ଼ୁଗୁଡ଼ିଆ ଗ୍ରାମପଞ୍ଚାୟତର ସରପଞ୍ଚ ଓ ସମସ୍ତ ଖର୍ଚ୍ଚ ସଭ୍ୟ ସଭ୍ୟା କୁ ଉକ୍ତ ଧାର୍ଯ୍ୟ ତାରିଖ, ସ୍ଥାନ ଓ ସମୟ ରେ ଉପସ୍ଥିତ ରହି ଆଲୋଚନାରେ ଅଂଶଗ୍ରହଣ କରିବାକୁ ଅନୁରୋଧ ।

ସରପଞ୍ଚ ନଂ - ୨୯୫୫ / ତା - ୧୪.୧୦.୨୫
ଡ. ଚନ୍ଦ୍ରଶେଖର
 ଉପ-ଜିଲ୍ଲାପାଳ, କସ୍ତିପଦା, ଉଦଳା

ଏହାର ଏକ କିତା ନକଲ ବତଗୁଡ଼ୁଗୁଡ଼ିଆ ଗ୍ରାମପଞ୍ଚାୟତର ସରପଞ୍ଚ ଓ ସମସ୍ତ ଖର୍ଚ୍ଚ ସଭ୍ୟ ସଭ୍ୟା କୁ ଅବଗତ କରାଯାଇ ଉକ୍ତ ବୈଠକରେ ଯୋଗଦାନ ନିମନ୍ତେ ଜଣାଇ ଦିଆଗଲା ।

ସରପଞ୍ଚ ନଂ - ୨୯୫୫ / ତା - ୧୪.୧୦.୨୫
ଡ. ଚନ୍ଦ୍ରଶେଖର
 ଉପ-ଜିଲ୍ଲାପାଳ, କସ୍ତିପଦା, ଉଦଳା

ଏହାର ଏକ କିତା ନକଲ ପଞ୍ଚାୟତସମିତିର ବିଜ୍ଞାପନ ପତ୍ରରେ ପ୍ରକାଶନ ପାଇଁ ଗୋଷ୍ଠୀଗଠନ ଅଧିକାରୀ କସ୍ତିପଦାକ ନିକଟକୁ ପ୍ରେରଣ କରାଗଲା ।

Handwritten signature/initials

ସରପଞ୍ଚ ନଂ - ୨୯୫୦ / ତା - ୧୪.୧୦.୨୫
ଡ. ଚନ୍ଦ୍ରଶେଖର
 ଉପ-ଜିଲ୍ଲାପାଳ, କସ୍ତିପଦା, ଉଦଳା

ଏହାର ଏକ କିତା ନକଲ ଜିଲ୍ଲାପାଳ, ମୟୂରଭଞ୍ଜର ସଦସ୍ୟ ଅବଗତ ନିମନ୍ତେ ପ୍ରେରଣ କରାଗଲା ।
ଡ. ଚନ୍ଦ୍ରଶେଖର
 ଉପ-ଜିଲ୍ଲାପାଳ, କସ୍ତିପଦା, ଉଦଳା

19. In the case at hand the notice in question is not in vernacular. And, so far as purport of a resolution is concerned, the same has been set at rest by the judgment of this Court in the case of **Prahallad Dalei (supra)**² as well as judgment dated 13.05.2026 delivered by this Bench in the case of **Minatirani Madhei v. State of Odisha**⁸ in W.P.(C) No.34984 of 2025.

The decision in the case of **Prahallad Dalei (supra)**² still holds the field and has been relied

⁸ *Minatirani Madhei v. State of Odisha*, W.P.(C) No. 34984 of 2025, 13.05.2026



upon by this Court as noted in the case of **Minatirani Madhei (supra)**⁸.

20. The resolution, which is stated to be not in consonance with the provisions of "resolution proposed" and "proposed resolution" in the case at hand has been annexed as Annexure-A/4 by the State Opposite Parties and the same is extracted hereunder;

ବିଦିଠକ Annexure-A/4

୧୭.୦୭.୨୦୧୫
 ଶ୍ରୀମତୀ ଡା - ୦୮/୦୯/୨୪ ରୂପ ସମସ୍ତ - ପଦାବଳି
 ସ୍ଥାନ :- ନିଆଗାଠି ଗ୍ରାମ ପଞ୍ଚାୟତ ଠକ ଡାକ୍ତରୀ କାଳୀନଗର
 ଡାକ୍ତରୀ ନିଆଗାଠି ଗ୍ରାମ:ପ:୨ ସମସ୍ତ ଡାକ୍ତରୀ ସଭା/ସଭା
 ଉପସ୍ଥିତ ହେଲୁ । ଉକ୍ତ ବିଦିଠକ ଡାକ୍ତରୀ ନିଆଗାଠି ଗ୍ରାମ:ପ:୨
 ସମସ୍ତ ସଭା, ପଞ୍ଚାୟତ ବାବଦରୁ ସମସ୍ତେ ମୁକ୍ତାନ୍ତ
 ମୁକ୍ତା ସଭା ଆରମ୍ଭ କରୁଥିଲୁ ।
 ଉଲ୍ଲେଖ ଯାଉଛି :- ଉକ୍ତ ଆରମ୍ଭରତରୁ କେହି
 କାହିଁ କିମ୍ବା ସମସ୍ତ ଡାକ୍ତରୀ ବସ୍ତୁ ସମସ୍ତ ସମସ୍ତ
 ସଭା/ସଭା ବସ୍ତୁ ବସ୍ତୁ ମଧ୍ୟ ଉପସ୍ଥିତ । ଡାକ୍ତରୀ ନିଆଗାଠି
 ଗ୍ରାମ:ପ:୨ ନାମକ ସମସ୍ତ ଶ୍ରୀମତୀ ଗୁପ୍ତାବତୀ କି କିମ୍ବା
 ଡାକ୍ତରୀ କିମ୍ବା କିମ୍ବା ସମସ୍ତଙ୍କୁ ଉପସ୍ଥିତ ନାହିଁ ।
 ସମାପନ କରିବାକୁ କିଛି ମନୋନୀୟ ମନୋନୀୟ ନାହିଁ ।
 ମଧ୍ୟାହ୍ନ
 * ମୁଖ୍ୟକ ମାମୁ ଗ୍ରାମ:ପ:୨ ମାମୁ ଡାକ୍ତରୀ ବିଦିଠକ
 କରୁଥିଲୁ ।
 * ମୁକ୍ତା ଡାକ୍ତରୀ ସଭା ସଭା ମାମୁ ଡାକ୍ତରୀ ବିଦିଠକ
 କରୁଥିଲୁ ।
 * ମୁକ୍ତା ଡାକ୍ତରୀ କାମିଆନମୁକ୍ତା କିମ୍ବା ଉପସ୍ଥିତ ମୁକ୍ତା
 କାମିଆନମୁକ୍ତା ନାହିଁ ଠକ ମୁକ୍ତା ସମସ୍ତ ଡାକ୍ତରୀ
 ସଭା/ସଭା କାମିଆନମୁକ୍ତା କିମ୍ବା କିମ୍ବା ମୁକ୍ତା
 (ମୁକ୍ତା ମୁକ୍ତା ଉପସ୍ଥିତ ମନୋନୀୟ ମନୋନୀୟ)

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କ୍ଷତ୍ରି ମାନଙ୍କୁ ଚାହିଁ ବାକି ବାସ ଭବନରୁ ବାହାରିବା
ସମସ୍ତ କାର୍ଯ୍ୟ କରନ୍ତୁ ।

* ପ୍ରତ୍ୟେକ ଦ୍ଵାରକ ସ୍ଵପ୍ନ/ସ୍ଵପ୍ନା ଅଭିଯୋଗ କଲେ କି?
ବିଧାନସଭାରୁ ବିନା ସମ୍ପର୍କରେ ବାହାରିବା କାର୍ଯ୍ୟକ୍ରମକୁ
ଉପସ୍ଥିତ ସମସ୍ତାଙ୍କ ମଧ୍ୟାଃ ଆପାତ୍ କାର୍ଯ୍ୟ ସଂଗ୍ରହାପନ,
ଠିକ୍ ମୁଦ୍ଦା ପ୍ରମାଣ ପତ୍ର ପଢ଼ିକଲେ ବାହାରି ଆସୁଥିବା ବାକି
କିମ୍ପା ବାହାରି ସମସ୍ତ ବାହାରି କରନ୍ତୁ । ସାତ୍ରୀ ବକଳ
ସାହାଯ୍ୟକାରୀ ସମସ୍ତ କାର୍ଯ୍ୟ କରନ୍ତୁ ।

* ସଂକଳନକ ପତ୍ରକୁ ଆସୁଥିବା ବାକି ଅନୁମୋଦନ ମଧ୍ୟାଃ
ସହିଷ୍ଣୁ ଚମ୍ପାଜା, ବହିକାଳ ପଞ୍ଜଳ ଚମ୍ପାଜା,
ଅନୁମୋଦନ ପତ୍ର ଚମ୍ପାଜା, ବାକି କଲ ସମସ୍ତା ହିସାଜା ।

ଠିକ୍ ଚାହିଁବାକୁ ଆଗାଧାନରୁ ଆଗରୁ ସମସ୍ତେ ଶ୍ରୀ! ମଃ
ଦ୍ଵାରକ ସ୍ଵପ୍ନ/ସ୍ଵପ୍ନା ମୁକ୍ତ ସମ୍ପର୍କରେ ବାହାରିବା ପ୍ରକରଣରୁ
ନ ପଢ଼ି ଠିକ୍ ସିଦ୍ଧାନ୍ତ କଲେ କି ଠିକ୍ ନାଚକ ସଂଗ୍ରହ
କି ମଧ୍ୟାସିଦ୍ଧି ବାକିର ଚାହିଁକିରୁ ଅନୁମୋଦନ କରା-ମାତ୍ର ।
ଠିକ୍ ସଂକଳନକ ନିର୍ଦ୍ଦିଷ୍ଟାପନା କଲି ଅନୁମୋଦନ କାର୍ଯ୍ୟ
ନିର୍ଦ୍ଦିଷ୍ଟ ଚାହିଁ ନିର୍ଦ୍ଦିଷ୍ଟ ନାଚକ ସଂଗ୍ରହକି ଚାହିଁକିରୁ
ଠିକ୍ କିମ୍ପା କରା-ମାତ୍ର ।

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Block Development Officer
UDALA

ସ୍ଵାଧୀନୀ ଶ୍ରୀ! ମଃ ସ୍ଵପ୍ନ
ଦ୍ଵାରକ ସ୍ଵପ୍ନ/ସ୍ଵପ୍ନା କରନ୍ତୁ
Laxminani Behera (w.m-1)
Rebati Hembrom (w.m-1)

21. On a bare reading of the same, it can be seen that it unequivocally conveys the intention of the 9 (nine) requisitionists to initiate the process of seeking a vote of 'No Confidence Motion' against the Petitioner, Naib-Sarpanch.

The last paragraph of the aforesaid resolution, in the considered view of this Court, conveys the collective wisdom of the requisitionists to move a 'No Confidence Motion',



and the tenor of language, in effect, conforms to the requirement as envisaged under 24(2)(a)⁷ as well as 24(2)(c)⁷ the Orissa Grama Panchayats Act, 1964, considered on the touchstone of the latest judgment of this Court in ***Minatirani Madhei (supra)***⁸.

22. It is further apposite to note that the decision in ***Prahallad Dalei (supra)***² was also approved in the case of ***Sebati Pujari v. State of Odisha and others***⁹.

The decision in ***Sebati Pujari (supra)***⁹ rendered by a Division Bench of this Court affirming ***Prahallad Dalei (supra)***² have not been referred to in the judgment of this Court in the case of ***Damayanti Hansda (supra)***³.

22-A. The contention to nullify the resolution which is in the considered view of this Court conforms to the statutory requirement of Section 24(2)(a) and (c)⁷ of the Orissa Grama Panchayats Act, 1964 relying on the word 'Sidhant' (vernacular) as appearing in the said resolution bereft of its context, on the strength of the judgment of this Court in the case of ***Damayanti Hansda (supra)***³ does not stand to reason and as such untenable.

⁹ *Sebati Pujari v. State of Odisha, AIR 2017 Ori 1*



22-B. This Court will not lengthen the shadow of this judgment by restating the obvious by referring to precedents that each case is born out of its peculiar facts. Therefore, the submission of the learned Senior Counsel, Mr. Rath, to the contrary, placing reliance on the judgment of this Court in the case of ***Damayanti Hansda (supra)***³, is to be shunned.

22-C. It is apt to note, at the cost of repetition, that the judgments which were holding the field in the cases of ***Prahallad Dalei (supra)***² as well as ***Sebati Pujari (supra)***⁹ having a direct bearing on the point at issue were not brought to the notice of the learned Single Judge while deciding ***Damayanti Hansda (supra)***³. In the light of the ratio in the cases of ***Prahallad Dalei (supra)***² and ***Sebati Pujari (supra)***⁹ the inescapable conclusion is that the said judgment [***Damayanti Hansda (supra)***³] having laid down no ratio, cannot be regarded as a precedent.

Even otherwise the same has no application to the facts of the present case.

23. In view of the perspicuous analysis as above, in the light of the judgments of this Court referred to hereinabove, the writ petition, being devoid of merit is dismissed.



Interim order dated 06.11.2025 stands vacated.

24. The result of 'No Confidence Motion' kept in sealed cover be declared forthwith and action in accordance with law be taken pursuant to such resolution.

25. Accordingly, the Writ Petition stands disposed of. Cost made easy.

(V. Narasingh)
Judge

*Orissa High Court, Cuttack,
Dated the 20th May, 2026/ Santoshi*