

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 36924 OF 2025)

JITENDER KUMAR PANDEY & ORS.

APPELLANT(S)

VERSUS

SUMAN GAUTAM & ORS.

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The appellants in the instant appeal have laid challenge to a Division Bench judgment dated 08.12.2025 passed by the Allahabad High Court at Lucknow whereby the order dated 21.08.2024 of the District Magistrate, Sultanpur has been declared to be without jurisdiction and consequently a direction has been issued to proceed with the "No Confidence Motion" as per the rules and the relevant statutory provisions.
3. The facts may be briefly noticed to contextualize this appeal. The elections of Block Pramukh, Karaudi Kalan, District Sultanpur were held in the year 2021 in which appellant No. 3 was declared elected as Block Pramukh. After about three years of his tenure, a notice dated 30.07.2024 was submitted before the District Magistrate purportedly signed by 36 out of 48 elected members of the relevant Kshetra Panchayat for moving a "No Confidence Motion" against appellant No.3/Block Pramukh.
4. Subsequently over the course of the next 10 days, 12 out of 36

signatories to the notice allegedly submitted objections before the District Panchayati Raj Officer that their signatures in the affidavits were false/forged as they had neither signed nor supported objections the "No Confidence Motion". It was noticed that another signatory's Ward No. was listed incorrectly in the affidavit supporting the "No Confidence Motion".

5. The District Magistrate consequently passed an order dated 21.08.2024 holding that statutory requirement under Section 15(2) of the Uttar Pradesh Kshettra Panchayats and Zilla Panchayats Adhiniyam, 1961 (for short, the "Act") namely that the "No Confidence Motion" notice must be signed by at least half of the total elected strength was not satisfied, as 12 Kshetra Panchayat members alleged forgery while one's particulars were incorrect. Hence, the District Magistrate reasoned that the request for initiation of No Confidence Proceedings was liable to be rejected.

6. The aforesaid decision of the District Magistrate was challenged before the High Court and vide the impugned judgment, the High Court has set aside the same on the ground that the District Magistrate has no authority to verify the signatures of members who have signed the "No Confidence Motion" as was held by the Full Bench of that High Court in a previous decision. The High Court consequently directed the authorities to proceed with the "No Confidence Motion" in accordance with law.

7. The aggrieved appellants have approached this Court. We have heard the learned Counsel for the parties, and perused the record.

8. This Court, while examining the scope of powers of the District Magistrate under Section 15(2) of the Act, in *Ranjit Kumar Maurya & Ors. v. Ashutosh Patel & Ors.* vide judgment dated 02.05.2025 in Civil Appeal No.5826/2025 has held as follows:

"7. Having heard learned senior counsel for the appellants and some other counsel, it seems to us that the High Court failed to distinguish the dispute over the genuineness of signatories on the one hand and the withdrawal of support to a No Confidence Motion on the other hand. In the instant case, the Collector was, of course, not competent to return a finding regarding whether the affidavits appended with the No Confidence Motion bore genuine signatures or were forged. Such an issue was beyond the domain of the Collector. However, nothing precludes the Collector from considering the withdrawal of a No Confidence Motion by the very persons who have moved it. Since, 39 out of 50 persons who had submitted the No Confidence Motion admittedly withdrew their consent and submitted fresh affidavits, it seems to us that no useful purpose would be served by directing the Collector to complete an empty formality, when the fate of No Confidence Motion is already known."

9. It may be observed that while the Collector/Competent-Authority is not competent to return a finding as to whether the affidavits appended with the "No Confidence Motion" bore genuine signatures or were forged, however, if the "No Confidence Motion" has been withdrawn by some of the signatories and the signatory members are lesser than the statutory requirement of half of the total elected strength, the District Magistrate/Competent-Authority was very much competent to decline the initiation of the No Confidence Proceedings.

10. Interestingly, the contesting respondents, i.e. those pressing the "No Confidence Motion" before us have in their counter-affidavit relied upon fresh affidavits given by those very 12

candidates who had earlier given affidavits to the appellants withdrawing their support from the Motion. It is, therefore, abundantly apparent that some of the elected members are switching sides purely for extraneous consideration.

11. Such kind of approbation and reprobation simply cannot be allowed, lest dishonest or predatory practices would cause irreversible damage to the democratic institutions at the grassroots of our nation. It thus becomes the bounden duty of the authorities not only to ascertain the genuineness of the affidavits which are frequently exchanged but also to hold a deeper probe of the apparent extraneous consideration behind such frequent change in loyalties.

12. Be that as it may, in the instant case, the term of the elected body is expiring in April, 2026. As can be glaringly seen from the factual reiterations above, the conduct and integrity of those 12 signatories/Kshetra Panchayat members is highly doubtful; we accordingly restrict all those 12 members from casting vote(s) either in support of or against any "No Confidence Motion" for the remaining term.

13. Resultantly, the District Magistrate, Sultanpur will take a fresh call as to whether or not the remainder of the members can move any such "No Confidence Motion" and if so, whether such motion should be allowed to be entertained at this belated stage when the term of the elected body is expiring within a short span, under the relevant laws. Let an appropriate decision be taken by the District

Magistrate/Competent-Authority after hearing both sides.

14. The appeal stands disposed of, in the above terms.

.....CJI
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
FEBRUARY 04, 2026.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 36924/2025
[Arising out of impugned final judgment and order dated 08-12-2025 in
WC No.7852/2024 passed by the High Court of Judicature at Allahabad,
Lucknow Bench]

JITENDER KUMAR PANDEY & ORS.

Appellant(s)

VERSUS

SUMAN GAUTAM & ORS.

Respondent(s)

(IA No. 330507/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 12489/2026 - EXEMPTION FROM FILING O.T. and IA No.
330506/2025 - EXEMPTION FROM FILING O.T.)

Date : 04-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Appellant(s) : Mr. Avanish Kumar, Adv.
Ms. Sonali Sharma, Adv.
Mr. Surendra Kumar, Adv.
M/s V. Maheshwari & Co., AOR

For Respondent(s) : Mr. Rahul Kaushik, Sr. Adv.
Mr. Kisalaya Shukla, AOR
Mr. Sandeep Pathak, Adv.
Mr. Vineet Kumar Upadhyay, Adv.
Mr. Krishna Kant Shukla, Adv.

Mr. Ashish Pandey, AOR

Mr. Shaurya Sahay, AOR
Mr. Aman Jaiswal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed order is placed on the file)