
(2009) 12 CHH CK 0012
In the Chhattisgarh High Court
Case No : Writ Petition (227) No. 7227 of 2009

Lakhanlal

APPELLANT

Vs

State of Chhattisgarh and Others

RESPONDENT

Date of Decision : 11-12-2009

Acts Referred:

Citation : (2010) 4 MPJR 26

Hon'ble Judges : Satish K. Agnihotri, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

S.K. Agnihotri, J.

By this petition, the petitioner seeks a direction to the respondent No. 4, Tahsildar Lormi, to decide his case in view of the direction given by the respondent No. 3, Sub Divisional Officer, Lormi, vide order dated 28.10.1996 (Annexure P/2).

Learned counsel appearing for the petitioner submits that the petitioner was the Kotwar of village Hardi, Tahsil Lormi, District Bilaspur, on account some observations made by the Sessions Judge in Special Criminal Cases No. 248/1992, regarding the character of the petitioner, the petitioner was terminated from service vide order dated 31.7.96 (Annexure P/1) by the respondent No. 4. Shri Chakrabarty further submits that against the said order dated 31.7.1996, the petitioner preferred an appeal before the respondent No. 3. the respondent No. 3, after considering the grievances of the petitioner from all angles and after being satisfied with the contention raised by the petitioner, vide order dated 28.10.1996 (AnnexureP/2) set aside the order passed by the respondent no.4 and remanded back the matter to the respondent No. 4 to consider afresh and to pass appropriate orders in accordance with law. Shri Chakrabarty next submits that in spite of specific directions given by the respondent No. 3, the respondent No. 4 has not taken any initiative to decide the

case of the petitioner. The petitioner has also submitted a representation before the Collector on 20.10.2005 and requested for his reinstatement.

I have heard learned counsel appearing for the petitioner, perused the pleadings and documents appended thereto.

It is evident that after the order passed by the respondent No. 3, the petitioner has never made any application or any prayer before the respondent No. 4 for early disposal of his case, without making any prayer, he has approached this Court directly, Even, in the representation made before the Collector also, the petitioner has not made any prayer for issuance of direction to respondent No. 4 for early decision on the case of the petitioner by the respondent no., 4, Thus, it is not possible to issue a writ as sought for by the petitioner in this sketchy petition without having relevant and sufficient materials.

For the reasons stated hereinabove, the petition being devoid of merit, deserves to be and is hereby dismissed at the motion stage. However, in the interest of justice, it is expected that the respondent authorities may consider and decide the pending case/representation of the petitioner, in accordance with law, on its own merits and in its perspective.