

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 3971 of 2015**

1. D. P. Pathak S/o Ram Kishun Pathak, Aged About 56 Years Senior Agriculture Development Officer (Suspended) Seed Processing Center Geur, District Balrampur (Chhattisgarh)
2. Yadvendra Singh Baghel S/o Dwar Kendra Singh Baghel, Aged About 46 Years Junior Assistant Seed Processing Center, District Balrampur (Chhattisgarh)

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary : Chhattisgarh State Seed & Agriculture Development Corporation Limited, Seed Bhawan Telibandha Raipur (Chhattisgarh)
2. General Manager, Chhattisgarh State Seed & Agriculture Development Corporation Limited, Seed Bhawan
3. Deputy General Manager, Chhattisgarh State Seed & Agriculture Development Corporation Limited, Seed
4. State Of Chhattisgarh Through Collector, District : Balrampur, Chhattisgarh
5. Brijendra Kumar Jaiswal, Assistant Seed Certification Officer, Chhattisgarh Seed Certification Center Geur, District Balrampur (Chhattisgarh)

---- Respondents

For Petitioners : Shri A.K. Shukla, Advocate.

For Respondents/State : Shri Y.S. Thakur, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****17/12/2015**

(1) This writ petition has been filed questioning the memo issued by Chhattisgarh Rajya Beej & Krashi Vikas Nigam Limited to the Collector for lodging FIR against the petitioners and some other persons, which has sought to be questioned by the petitioners that no criminal act has been committed by them.

(2) Memo dated 18.9.2015 (Annexure P-1) is only a communication by CG Rajya Beej & Krishi Vikas Nigam Ltd. to the Collector, Balrampur for lodging First Information Report against the persons named therein.

(3) Learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence and, therefore, order dated 18.9.2015 (Annexure P-1) be quashed.

(4) As such, the submissions made by learned counsel for the petitioner cannot be entertained by this Court at this stage. It is only a communication (Annexure P-1) to the Collector, Balrampur and the petitioner is free to satisfy for the concerned authority, if ultimately FIR has been lodged against him. At this stage, the writ petition is premature as the order dated 18.9.2015 (Annexure P-1) is only communication from CG Rajya Beej & Krishi Vikas Nigam Ltd. to the Collector, Balrampur, which cannot be quashed.

(5) Accordingly, the writ petition is dismissed as premature. However, it is open to the petitioner to proceed in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-