

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 81 of 2015**

Smt. Monalisa Agrawal W/o Shri Ajay Kumar Agrawal Aged About 29 Years
Proprietor Of Mahalaxmi Tractors, Danipara Raigarh Tahsil & District
Raigarh C.G. Through

The General Power Of Attorney Brijmohan Agrawal S/o Late Shri Kalicharan
Agrawal Aged About 61 Years, R/o Danipara Raigarh, Tahsil & District
Raigarh C.G.

---- Petitioner

Versus

Devanand Patel S/o Shri Shauki Lal Patel Aged About 32 Years Occupation
Agriculture & Transporting R/o Village Aarmuda, Post Mahloi, Tahsil Pusaur,
District Raigarh C.G.

---- Respondent

For Petitioner	: Shri Alok Pandey, Advocate
For Respondent	: None, though represented

HON'BLE SHRI JUSTICE CHANDRA BHUSHAN BAJPAI**ORDER****02/12/2015**

1. Heard the matter finally.
2. On behalf of the petitioner it is submitted that the Court below is grossly negligent in not disposing of the application under Section 91 of the Code of Criminal Procedure, 1973 (hereinafter the Code) filed by the respondent/accused dated 6.11.2012. It is further submitted that the matter be disposed of and suitable directions be issued for immediate disposal of the said application.
3. To substantiate the arguments, learned counsel for the petitioner had shown the contents of the order sheet dated 6.11.2012 wherein it is

mentioned that an application has been filed by the respondent/accused under Section 91 of the Code.

4. Learned counsel further submitted that till date the said application is pending.

5. From perusal of the order sheet of the Court below it shows that the order sheets till 9.10.2014 have been filed along with the petition. But on behalf of the petitioner it is submitted that the said application is still pending; such long pendency of about 3 years for an interim application cannot be held that proper and good for appropriate adjudication in the matter.

6. On due consideration, the instant Writ Petition (227) is disposed of. The Court below is directed to dispose of the said application under Section 91 of the Code within three months from the next date of hearing. The petitioner may submit certified copy of this order before the Court below for compliance. Compliance made in this behalf by the Court below shall be under intimation to the Registry.

7. Petition is accordingly disposed of.

8. No order as to cost.

Sd/

(Chandra Bhushan Bajpai)
JUDGE