

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.5339 OF 2014

ORDER

The matter is taken up by way of a lunch motion. The grievance of the petitioner is that the police authorities failed to take necessary action upon the complaint dated 13.09.2011 and other subsequent complaints.

The Inspector of Police, Habeebnagar Police Station, filed a counter-affidavit admitting the receipt of the petitioner's complaints but according to him, as the contents thereof revealed a civil dispute relating to a Wakf property, no case was registered.

However, there is no indication of intimation having been given to the complainant of the decision of the police not to proceed in the matter, as required under Section 157(2) of the Code of Criminal Procedure. The failure of the police authorities in this regard is not only in violation of the statutory requirement but also the law laid down by a Constitution Bench in ***LALITA KUMARI V/s. GOVERNMENT OF UTTAR PRADESH***^[1].

In that view of the matter, the police authorities are directed to communicate their decision to the petitioner in accordance with the due procedure forthwith.

The writ petition is disposed of with the above direction. Pending miscellaneous petitions shall stand closed. No order as to costs.

SANJAY KUMAR, J

14th MARCH, 2016

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^[1] (2014) 2 SCC 1