

**112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM No.M-37986 of 2015

Date of Decision: January 08, 2016

Johny Mathew

.... Petitioner

vs.

Government of India and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Petitioner in person.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Petitioner has filed this petition under Section 482 Cr.P.C. for issuance of appropriate directions, in view the fact that respondent No.1 has not conducted an inquiry on his complaint dated 10.03.2004 (Annexure A-1) and Chairman, DRAT Delhi to cover the corruption at DRT-1, Chandigarh and to avoid action, dismissed his appeal No.284 of 2014 without any justification and thereafter, on the basis of dismissal of application under Section 17 (1) and its appeal 'Company' filed an application under Section 14 of the SARFAESI Act, 2002 and got favourable order on 09.06.2015 without having statutory documents and dispossessed the applicant from the flat, violating the order of District Magistrate and is not acting fairly and is causing great prejudice to the petitioner. Therefore, a direction be issued to investigate the case by an officer not below the rank of Deputy Superintendent of Police of any

independent efficient agency, preferably by Central Bureau of Investigation, as per law on the basis of complaint (Annexures A-1, A-2 and A-8) filed by the petitioners and investigate the corruption involved in issuing orders dated 08.11.2013, 21.01.2015 and 09.06.2015.

I have heard the petitioner, who is present in person and have also carefully gone through the case file.

It comes out that the Debt Recovery Tribunal-1, Chandigarh had passed some orders against the present petitioners. The petitioner is not satisfied with the said orders and claimed that the said orders are passed illegally. He had filed some complaints before the higher authorities and claimed that his case may be reinvestigated by the Central Bureau of Investigation.

I am of the view that the present petition is nothing but a pressure tactics to misuse the process of court/law. Debt Recovery Tribunal-1, Chandigarh had passed some judicial orders, which can be challenged before the appropriate authority. For passing the judicial orders, the Presiding Officer of the Debt Recovery Tribunal cannot be prosecuted in the manner sought by the petitioner.

As such, there is no ground to invoke the inherent powers of this Court under Section 482 Cr.P.C. Accordingly, the present petition stands dismissed.

January 08, 2016
sarita

(KULDIP SINGH)
JUDGE