

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 198 of 2017

- Smt. Nanda Khakhariya W/o. Dr. Anil Khakhariya Aged About 45 Years R/o. C- 80/2, Sector 2, Devendra Nagar, Raipur, Dist. Raipur (Chhattisgarh)

---- Petitioner

Versus

1. Sharad Shukla Aged About 50 Years Paden Adhyaksha Chhattisgarh Table Tennis Sangh, Raipur R/o. 291, Sunder Nagar, Raipur, Dist. Raipur (Chhattisgarh)
2. Vinay Baiswade S/o. Ramsnehi Baiswade Aged About 41 Years Paden Secretary Chhattisgarh Table Tennis Sangh, Raipur R/o. I-12, Shatabdi Nagar, Telibandha, 2, Raipur, Dist. Raipur (Chhattisgarh)
3. Kishor Jadwani S/o. Namalum Aged About 40 Years Paden Chairman Chhattisgarh Table Tennis Sangh, Raipur R/o. 3rd Floor, Laxmi Plaza, Sapre Shala Chowk, Raipur, Dist. Raipur (Chhattisgarh)
4. Sushri Roi W/o. Rajiv Roi Aged About 39 Years R/o. B-210, Shiv Vatika, Ashwani Nagar, P.S. Sunder Nagar, Purani Basti, Raipur, Dist. Raipur (Chhattisgarh)
5. Abhishek Raj Aged About 21 Years R/o. A. G. Office, Vidhansabha Road, Raipur, Dist. Raipur (Chhattisgarh)
6. Smt. Purnima Sharma W/o. Rakesh Sharma Aged About 39 Years R/o. Green Midas, 404, Garnet Daldalsivni, Mova, Dist. Raipur (Chhattisgarh)
7. Ansuman Sharma S/o. Rakesh Sharma Aged About 16 Years R/o. Green Midas, 404, Garnet Daldalsivni, Mova, Dist. Raipur (Chhattisgarh)
8. Rajiv Rai Aged About 42 Years R/o. B-210, Shiv Vatika, Ashwani Nagar, P.S. Sunder Nagar, Purani Basti, Raipur, Dist. Raipur (Chhattisgarh)
9. Special Judge (P. C. Act) Dhamtari, Dist. Dhamtari (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Sudeep Johri, Advocate.
For Respondents	:	None.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/07/2017

1. Heard.
2. **Admit.**

3. Learned counsel for the petitioner submits that a complaint has been filed against the respondents before the Special Court under Prevention of Corruption Act, Dhamtari. The complaint was dismissed for want of prosecution on 22.1.2016 against which Criminal Revision No.166/2016 was filed before this Court. This revision was decided by order dated 24.2.2016 by the learned Single Bench of this Court in which the revision was allowed and trial Court was directed to proceed further, keeping in view the observations made in the order of the High Court.
4. It is submitted by learned counsel for the petitioner that the order was received by the Court below on 9.3.2016, thereafter no further proceeding has taken place. Although, the Court below has fixed the case for inquiry under Section 202 of Cr.P.C. but a question was raised in order-sheet dated 14.2.2016 whether there shall be requirement of sanction for prosecution before proceeding in this case, thereafter no order has been passed and the case is being simply adjourned for a number of times. Hence, petitioner has come before this Court only seeking a direction to expedite the proceeding before the Court below.
5. It is evident that respondents have not appeared before the Court below neither they were summoned in the revision decided earlier by this Court.
6. Considering these facts, this case can be disposed of at the motion stage with a suitable direction, hence, it is directed that the Court below shall hear the parties present before it and decide the question of requirement of sanction of prosecution as early as possible preferably within a period of one month from the date of receipt of this order and proceed further in accordance with law.
7. With the direction and observation made as aforementioned, this petition is disposed of at the motion stage.

Sd/-

(Rajendra Chandra Singh Samant)
JUDGE