

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 1993 of 2015

1. Smt. Subhadra Pathak W/o Late Ram Swaroop Pathak Aged About 82 Years R/o Ram Gopal Tiwary Ward, Mungeli, Pathakpara, Mungeli, District Mungeli Chhattisgarh Pin 495334

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue Mahanadi Bhawan, New Raipur, P.S. Rakhi, District Raipur Chhattisgarh
2. Inspector General Of Registration O/o Inspector General Registration And Superintendent Stamp, Raipur Chhattisgarh Near D.K.S. Bhawan Old Mantralya, Opp. State Election Commission, Distt. Raipur Chhattisgarh
3. District Registrar, O/o District Registrar, District Bilaspur Chhattisgarh
4. State Of Madhya Pradesh Through Its Secretary, Department Of Revenue Mantralaya Bhopal M.P.
5. Inspector General Of Registration O/o Inspector General Registration And Superintendent Stamp, Registration Building, Opp. Old, Vidhan Sabha, Bhopal, Madhya Pradesh
6. District Registrar O/o District Registrar, District Sagar Madhya Pradesh
7. Accountant General O/o Accountant General Chhattisgarh Raipur Chhattisgarh

---- Respondent

For Petitioner	Shri Vinod Deshmukh, Advocate
For Respondent/State of CG	Shri Shashank Thakur, Govt. Advocate
For Respondent No.7	Shri R.K. Gupta, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

26/04/2017

1. Petitioner's husband namely; Late Shri Ram Swaroop Pathak, went missing on 8-5-1966. He was declared to have met civil death after 7 years from 8-5-1966. This was declared by the Court of Civil Judge Class I, Mungeli, vide order dated 25-4-1997. In the appeal preferred by the State, the 4th Additional District Judge, Bilaspur, passed the decree that the employee died within 7 years prior to 12-1-1996 that means he met civil death on or about 12-1-1987.
2. The State of Chhattisgarh was created by Madhya Pradesh Reorganisation Act, 2000, w.e.f. 1-11-2000, therefore, petitioner's late husband was never an employee in the State of Chhattisgarh, as on the date when he went missing he was posted at Sagar in the present State of Madhya Pradesh.
3. In view of the above, considering from any angle this Court would have no jurisdiction to entertain the present petition because at the time when the employee went missing he was in the services of the State of Madhya Pradesh.
4. Accordingly, the writ petition is dismissed as not maintainable. However, it will remain open for the petitioner to move before the High Court having jurisdiction over the matter. Sd/-

Judge

Prashant Kumar Mishra

Gowri