

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 499 of 2017**

- Shri Amit Lachawani S/o Shri Bihari Lal Lachawani, R/o Sant Kawanr Ram Ward. Subhash Nagar, Saugar District Saugar (M. P.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through Department Of Home (Police), Mantralaya Naya Raipur District Raipur Chhattisgarh
2. State Of Chhattisgarh, Superintendent Of Police Bilaspur, District Bilaspur Chhattisgarh
3. Town In Charge Police Station, Torwa And Tahsil & District Bilaspur Chhattisgarh
4. Madhaw Sharan Pandey, S/o Kamta Lal Pandey, R/o Shivala Mahanth Jnapad Mirjapur District Mirjapur (U. P.)
5. Gaya Prasad Gupta, S/o Ramnath Gupta, R/o Chandradeepa Jangi Raod, District Mirjapur (U. P.)
6. Om Praksh Widhani, S/o Dhalu Ram Widhani, Aged About 51 Years R/o Main Raod Torwa, Thana Torwa, Bilaspur Chhattisgarh
7. Khalid Anwar, S/o Abdul Khalid Aged About 51 Years R/o Azad Nagar Masan Ganj, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Vivek Verma, Advocate
For Respondents-State	:	Shri Niraj Sharma, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/11/2017**

1. Heard.
2. The following reliefs have been claimed in this petition.
 - i. To call for the entire records pertaining to the case of the petitioners.

ii. To direct the respondent No.2 and 3 to register the FIR in according with law and enquiry into the matter in fare and just manner.

lii. Any other relief has deemed fit by this Hon'ble Court.

3. Learned counsel for the petitioner would submit that the petitioner, Respondent No.4 Madhaw Sharan Pandey and Respondent No.5 Gaya Prasad Gupta were partners of a firm. Initially certain settlements were arrived at and the payment of the machinery were made to respondents No.4 & 5, which would be evident from Annexure P-3, which would show that the sale consideration has been paid of Rs.20,00,000/-, however the possession of the machinery has not been given. Consequently, the complaint has been made, therefore, FIR may be directed to be registered against the respondents.

4. Perusal of the document filed along with this petition would show that it is inter se dispute in between the partners about the sale of the properties. This Court in exercise of powers under Article 226 of the Constitution of India is not inclined to entertain the prayer as has been prayed for. It is for the petitioner to make prayer before the appropriate Civil Court and consequently, the petitioner, if so advised, may file necessary complaint before the appropriate forum. At this stage, I am not inclined to pass any order considering the nature of the document, which has been attached with this petition.

5. The petition being devoid of the merits is dismissed.

Sd/-

Goutam Bhaduri
Judge