

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1054 of 2017

Jagat Ram Banarjee S/o Deshram Banarjee, Aged About 51 Years R/o Village Pachpedi, P. S. Sarsiva, Tahsil Bilaigarh, District Balodabazar Bhatapara (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through : Secretary, Department Of Panchayat And Rural Development, Mahanadi Bhawan, Naya Raipur (Chhattisgarh)
2. Collector, District- Balodabazar-Bhatapara, Chhattisgarh
3. Sub Divisional Officer (Revenue), Bilaigarh, District Baloda Bazar Bhatapara (Chhattisgarh)

---- Respondents

Smt. Renu Kochar, counsel for the petitioner/s.
Shri Chandresh Shrivastava, Panel Lawyer for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/05/2017

The petitioner has filed this petition as second round of litigation challenging the same notice dated 04/05/2016 and demand notice dated 24/09/2016 which was subject matter of challenge in the earlier round of litigation. The writ petition filed earlier was dismissed on 27/10/2016 though this Court recorded that the petitioner may move before the SDO (R) seeking copy of the report and other documents.

2. Learned counsel for the petitioner submits that even though subsequently, an application was moved for supply of documents, no document was supplied and same notice and order stand against the petitioner giving an apprehension of his arrest. Therefore, the petitioner has filed second petition.

3. Notice given by the petitioner is, infact, a legal notice which does not contain as to which document the petitioner desires. It appears that the petitioner

is buying time. However, as a last resort, it would be open for the petitioner to apply to the competent authority for supply of any specific document which the petitioner requires for his defence. The petitioner was a Sarpanch and the allegation is that he has illegally withheld Rs.72,408/- in his possession. As the impugned notices were not interfered with in the earlier round of litigation, no relief can be granted in this petition. Subject to the liberty given to the petitioner in the earlier petition, no other order can be passed.

4. The petition is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge