

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 01 of 2017**

Devendra Markandey S/o. Shri Bhagat Ram Markandey, Aged About 38 Years (In Central Jail Durg) R/o. Katulboard, Ward No. 59, Durg, Police Station Mohan Nagar Tahsil And District Durg (Chhattisgarh)

---- Appellant

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Secretariat, Mahanadi Bhawan, New Raipur, P. S. And Post Rakhi District Raipur (Chhattisgarh)
2. Director General Of Police (D G P), Police Headquarter, Near Mahanadi Bhawan, New Raipur, P. S. And Post Rakhi District Raipur (Chhattisgarh)
3. Inspector General Of Police (I G P), Office Of Inspector General Of Police, 32 Bunglow, Bhilai, Police Station Bhilai Nagar, District Durg (Chhattisgarh)
4. Superintendent Of Police (S. P.), Office Of Superintendent Of Police, Near Collectorate Office, District Durg (Chhattisgarh)
5. Shri Narendra Sharma, City Superintendent Of Police/ Inquiry Officer, Chhavni, Police Station Chhawani, District Durg (Chhattisgarh)
6. B. R. Sahu, Inspector/ Presenting Officer, Police Line Durg, District Durg (Chhattisgarh)

---- Respondents

For Appellant	: Shri Abhishek Pandey, Advocate.
For Respondent/State	: Shri Arun Sao, Deputy Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri Justice Sanjay Agrawal

Order on Board

Per Deepak Gupta, Chief Justice

05/01/2017

1. This appeal is directed against the judgment dated 23.11.2016 passed by Learned Single Judge of this Court in Writ Petition (S) No.6118 of 2016.

In paragraph-2 of the judgment, it has been observed as follows:-

“2. Learned counsel appearing for the petitioner submits that the petitioner is facing departmental enquiry for which, he has made several representations before the respondent authorities for appointment of defece assistant, which has not been considered and decided by the respondent authorities and, therefore, direction may be issued to decide the same expeditiously.”

2. The Learned Single Judge held that the prayer was fair and reasonable and disposed of the writ petition by directing the Respondents

to decide the application of the Petitioner for appointment of defence assistant.

3. Now, it is urged by Learned Counsel for the Appellant that Appellant also wants to press his writ petition for quashing of the departmental enquiry.

4. We cannot permit him to raise an issue which was not raised before the Learned Single Judge. The Learned Single Judge has already granted relief as claimed by the Appellant before the Learned Single Judge. No further relief can be granted. Hence, the writ appeal is dismissed.

Sd/-
(Deepak Gupta)
Chief Justice

Sd/-
(Sanjay Agrawal)
Judge

Anu