

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3952 of 2017**

Ram Khilawan Tandan S/o Shri Bhusanda Tandan Aged About 38
Years R/o Village Pali, Police Station Hirri District Bilaspur, CG.

---- Applicant

Versus

State of Chhattisgarh through Police Station Lalpur, District Mungeli,
CG.

---- Respondent

For applicant	Mr. Dheerendra Pandey, Adv.
For Respondent/State	Mr.Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****18-8-2017**

1. Perused the explanation submitted by the concerned as directed vide order dated 1-8-2017.
2. On 1-8-2017, appropriate chart was not tagged that is why this Court directed the Registrar (Judicial) to explain. May be that fact was not placed at the time of hearing. It will be very hard to verify this fact as to whether the said chart was tagged or not. To eliminate this possibility and also to ensure regarding tagging of said chart so as to place the fact regarding disposal or pendency of any connected MCRC/MCRC filed by co-accused the applicant filed earlier, it would be appropriate to develop a mechanism administratively by the office. With this Registrar General is directed to take up the matter before the appropriate authority to formulate such mechanism so as to eliminate the aforementioned incident where the chart was not available on 1-8-2017 and thereafter when the explanation was sought it is submitted that the said chart was already tagged. Till appropriate permission is obtained from the authority, the

Registrar Judicial is directed to put up an additional note about the facts mentioned in the chart tagged so that the matter may be cross- checked at two level and about any petition listed before this bench failing which the authorities concerned may be liable for appropriate action.

3. Copy of the order sheet be immediately placed before the Registrar Judicial for follow up action and before the Registrar General to consider appropriate mechanism as required.
4. It is needless to mention that presently the said chart is only stapled in the part of office file. Any person may remove the chart and thereafter there shall be no material on record or any person may subsequently staple the chart. With the above no one can come to a conclusion whether the chart was available on specific date of hearing or not. This is high time where administrative side of the High Court should think to develop a device to eliminate any wrongful act within the institution.
5. At the outset, learned counsel for the applicant submits that the instant MCRC may be disposed of as withdrawn without appreciation on its merit. He submits that as the applicant is in custody since 24-11-2015, the trial Court may be directed to expedite the matter and to dispose of the same as early as possible.
6. On due consideration, instant MCRC is disposed of without any appreciation on merit. The trial Court is directed to dispose of the matter as expeditiously as possible preferably within a period of 4 months from the next date of hearing under intimation to the Registry. The applicant may revive the petition if the matter is not

disposed of as directed by this Court. The matter may be appreciated on its own merit.

7. Before parting, this court appreciates about the disclosure of connected MCRC decided by this Court and the facts placed in the affidavit annexed along with the main petition by learned counsel for the applicant.
8. The applicant may file copy of the order before the trial Court for compliance. The Registrar Judicial is also directed to send copy of the order to the Court below for compliance immediately through usual and fax mode.

Sd/-
(Chandra Bhushan Bajpai)
Judge