

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 146 of 2018**

- Krishna Prasad Mishra, S/o Late Shri Maniram Mishra, Aged About 58 Years, Present Place Of Posting Central Jail Bilaspur, Chhattisgarh, District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. Smt. Urmila Mishra W/o Shri Krishna Prasad Mishra, Aged About 55 Years, Occupation Housewife, R/o Village Gudh, Tehsil Rewa, District Rewa, Madhya Pradesh.
2. State Of Chhattisgarh, Through Secretary, Home Police Affairs, Mahanadi Bhawan, New Mantralaya, District Raipur, Chhattisgarh.
3. The Director General Of Police, Police Head Quarter Raipur, District Raipur, Chhattisgarh.
4. Superintendent Of Jail, Central Jail Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Appellant	Mr. Nasimuddin Ansari, Advocate
For Respondent /State	Mr. Prafull Bharat, Additional Advocate General

DB.: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Ram Prasanna Sharma****Order On Board By****Prashant Kumar Mishra, J.****9/3/2018**

1. Heard.
2. By the impugned order, the learned Single Judge has directed

the Superintendent of Jail, Central Jail, Bilaspur to consider and decide the representation filed by the writ petitioner Smt. Urmila Mishra (respondent No.1 herein) for recording her name in the Service Book of appellant Krishna Prasad Mishra as his nominee.

3. Learned counsel for the appellant would submit that the learned Single Judge has passed the impugned order without giving any opportunity of hearing to the appellant, therefore, it may affect his right to nominate any person as his nominee in the Service Book.
4. The impugned order has not decided that respondent Smt. Urmila Mishra has a right to be nominated as nominee of the appellant in his Service Book. It has only directed the Superintendent of Jail, Central Jail, Bilaspur to consider her representation.
5. Considering the entire facts situation of the case, the writ appeal is disposed of with observation that while deciding the representation filed by writ petitioner Smt. Urmila Mishra, the Superintendent of Jail, Central Jail, Bilaspur shall provide opportunity of hearing to appellant Krishna Prasad Mishra.
6. The writ appeal is accordingly disposed of.

Sd/-

Judge
(Prashant Kumar Mishra)

Sd/-

Judge
(Ram Prasanna Sharma)