

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPS No. 4116 of 2018**

1. Asha Yadav D/o Late Ganesh Prasad Yadav Aged About 27 Years R/o Kundrapara , Ward No. 13, Lormi, District Mungeli, Chhattisgarh.

---- Petitioner**Versus**

1. Union Of India Through Secretary , Ministry Of Home Affairs , Government Of India , North Block , Cabinet Secretariat , Raisina Hill , New Delhi.
2. State Of Chhattisgarh Through Secretary , Department Of Home, Mantralaya, Naya Raipur District Raipur Chhattisgarh.
3. Director General Of Police , Police Headquarters , Naya Raipur Chhattisgarh.
4. Pawan Dev Currently Working As Additional DIG (Appointment And Recruitment) Police Headquarters, Raipur Chhattisgarh.

---- Respondent

For Petitioner	Shri Saurabh Dangi & Ms. Surya Kawalkar Dangi, Advocates
For Respondent/UOI	Shri B. Gopa Kumar, Assistant Solicitor General
For Respondent/State	Shri J.K. Gilda, Advocate General
For Respondent No.4	Shri Manoj Sharma, Shri Sunil Otvani & Shri K. Rohan, Advocates

Hon'ble Shri Justice Ajay Kumar Tripathi, CJ
Hon'ble Shri Justice Prashant Kumar Mishra

Order on Board**Per Ajay Kumar Tripathi, CJ.****02/08/2018**

1. The sum essence of the entire argument boils down to the effect that two Original Applications, which have been preferred by the

private respondent No.4, the Police Officer, before the Central Administrative Tribunal, Bench at Jabalpur, will have to be contested by the petitioner before the said Forum.

2. The issues cannot be preempted by us in the present writ petition nor we would like to comment anything either on the facts or the law, which has been urged at the bar, lest it come in the way of a free and fair adjudication by the CAT.
3. One thing, however, we do not appreciate is that the present petitioner, on whose complaint the law had been set into motion, is a necessary party and was required to be made a respondent even in two Original Applications, which were filed by the private respondent No.4 before the CAT Bench, Jabalpur. Since the information with regard to two OAs is available in public domain now, the Court directs the private respondent No.4 to implead the petitioner herein as a party respondent in two OAs and the petitioner may either await issuance of a notice or appear on her own to contest two OAs. All the arguments, which have been made before us, can be very well placed before the CAT Bench and we are sure that the CAT Bench will objectively deal with it as well and decide the matter within the frame work of law and statute.
4. There is some kind of urgency involved in early resolution to the legal battle, which was initiated in the year 2016 and more than two years have already been gone past and nothing tangible by way of relief either to the victim or the accused officer has occurred so as to give a rest to the *lis*. In the interest of things

the CAT Bench, Jabalpur, is expected to give some priority to the cases with the assistance of the two contesting parties for an early decision.

5. This writ petition stands disposed off with the observations and expectation as above.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri