

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No. 2387 of 2018**

- Vikas Agrawal S/o Late Shri Maliram Agrawal, Aged About 44 Years R/o Somya Beauty Parlour, Behind Ramdev Rice Mill, Mungeli Road, Bilaspur, Tehsil And District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Revenue, Mahanadi Bhawan, Mantralay, Naya Raipur, Raipur Chhattisgarh
2. The Collector, Bilaspur, District Bilaspur, Chhattisgarh.
3. Sub Divisional Officer (Revenue) Bilaspur Chhattisgarh.
4. Usha Singh W/o Shri Arvind Singh Aged About 41 Years R/o Rudra Vihar, Behind Pratyush And Jagrati Krina Store, Ashok Nagar, Sarkanda, Police Station Sarkanda, Tehsil And District Bilaspur Chhattisgarh.
5. Chhattisgarh State Bar Council, Through Its Secretary, Chhattisgarh State Bar Council, Having Office At Chhattisgarh High Court Campus, Bilaspur, Chhattisgarh.
6. Dharmesh Sharma Aged About 40 Years Advocate, R/o House Of G.P. Sharma (Badra Wale), C-42, Gayatri Kunj, R/o Inside Indira Vihar Colony D.P. Choubey Nagar Colony Sarkanda, Bilaspur Chhattisgarh.

---- Respondent

For Petitioner
For Respective
Respondents

Mr. Ashish Surana, Advocate

Mr. A.S. Kachhwaha, Additional Advocate
General and Mr. Shashank Thakur, Govt.
Advocate

Order On Board By**Hon'ble Mr.Justice Prashant Kumar Mishra**

27/8/2018

1. Heard.
2. The petitioner would pray for a direction to respondent No.2 to conduct enquiry himself or through appropriate agency on his complaint and hear his appeal or transfer the appeal to any other SDO(R).
3. According to the petitioner, respondent No.4 was declared ex-parte in the proceedings before the SDO(R), but after that date, respondent No.6 Dharmesh Sharma, Advocate, inserted his signature in the Vakalatnama, which amounts to interpolation of the official records.
4. Learned counsel for the petitioner would submit that after putting the signature by respondent No.6 in the Vakalatnama, respondent No.4 is delaying the proceeding and is not allowing the appeal to be decided by the SDO(R). When complaint against the illegal act of respondent No.6 has not been attended by the SDO(R) and the petitioner's further complaint before the Collector has also not been attended, the present writ petition has been preferred for transfer of the case to any other SDO(R) and for conducting enquiry and taking action against respondent No.6.
5. So far as transfer of the matter from one SDO(R) to another SDO(R) is concerned, the petitioner has the remedy of filing transfer petition before the higher Revenue Authorities including the Board of Revenue. Similarly, complaint against

respondent No.6 can be preferred before the Regulatory Authority i.e. Chhattisgarh State Bar Council. Writ Petition is not the appropriate remedy for the said relief.

6. The third relief seeking enquiry against the counsel (respondent No.6) for putting his signature can also be examined by the concerned authority before whom the file is pending, as this Court in writ jurisdiction cannot enquire the issue as to whether the signature was put before or after certain date.
7. The writ petition has no substance and the same is liable to be and is hereby dismissed.

Sd/-

(Prashant Kumar Mishra)

Judge

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