

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.43228 of 2017

ORDER:

Heard Mr.Sai Kumari, counsel for the petitioner and the Assistant Government Pleader (Home) for respondents 1 to 3.

The petitioner complains against inaction of respondent No.3 in registering FIR on the complaint dated 22.09.2017, as illegal and amounts to refusing to discharge the duty cast on respondent No.3 under Criminal Procedure Code.

The Assistant Government Pleader on instructions submits that the 3rd respondent has received the cover with a photo copy but the complaint *per se* is not available. She further informs the Court, the petitioner approached the 3rd respondent with a copy of the complaint and entry in General Diary will be made and the case will be taken up as laid down by the Apex Court in ***Lalitha Kumari vs. State of Uttar Pradesh***¹ case.

The statement is placed on record and the writ petition is disposed of by this order:

- (a) The petitioner is given liberty to re-submit the complaint either in person or by registered post with acknowledgment due by enclosing a copy of this order within one week from the date of receipt of copy of this order.

¹ 2014 (2) SCC 1

- (b) The 3rd respondent makes an entry in General Diary and proceeds to enquire into the matter in accordance with law and take steps as are warranted within four (04) weeks from the date receipt of such complaint. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 02.01.2018
dv

S. V. BHATT, J

