

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 175 of 2019

1. Sulochana Mishra Wd/o Late Kashinath Mishra Aged About 60 Years R/o Aghor Ashram, Sitapur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
2. Rampyari Mishra D/o Kashinath Mishra Aged About 37 Years R/o Aghor Ashram, Sitapur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
3. Aghor Guru Rakshit Ram S/o Late Ram Naresh Singh Aged About 60 Years R/o Aghor Ashram, Sitapur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Woman And Child Welfare, Mahanadi Bhawan, Mantralaya New Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Collector Surguja (Ambikapur) District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
3. Women And Child Welfare Officer, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
4. President / Chairman, Child Welfare Committee, Surguja, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
5. Prafull Mishra S/o Kashinath Mishra Aged About 35 Years R/o Village Dhelsara, Post Office Sitapur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh
6. Savita Mishra W/o Prafull Mishra Aged About 32 Years R/o Village Dhelsara, Post Office Sitapur, District Surguja, Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh

---- Respondents

For Petitioners
For Respondent- State

Shri Kishore Narayan, Advocate
Shri Vikram Dixit, G.A.

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

22/01/2019

1. Challenge in this petition is to the order passed by the Child Welfare Committee (CWC) Sarguja, Chhattisgarh on 26.12.2018 releasing the child Master Kishan from care and protection and handing over his custody to the parents i.e. respondent Nos. 5 and 6.
2. The order under challenge is appealable under Section 101 of the Juvenile Justice (Care and Protection of Children) Act, 2015, therefore, petitioner is required to avail the alternative remedy.
3. At this stage, it is submitted by the petitioners' counsel that the CWC is not providing certified copy of the order and the record, therefore, appeal could not be filed.
4. If the petitioner moves application before the concerned CWC for grant of certified copy of the order and the concerned record, the same shall be provided to the petitioner.
5. The writ petition is dismissed with the above observation.

Sd/-
Prashant Kumar Mishra
Judge

Ankit