

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (HC) No. 2 of 2019**

- Devesh Sharma S/o B.N. Sharma Aged About 43 Years R/o R-7, 44 Rama Valley Parsada Bodri, Tahsil Bilha, District – Bilaspur (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary Department, Home Affairs, Mantralaya, Mahanadi Bhawan, Atal Nagar, District – Raipur (C.G.)
2. Inspector General of Police Bilaspur, District – Bilaspur (C.G.)
3. Superintendent of Police Bilaspur, District – Bilaspur (C.G.)
4. Station House Officer Police Station Chakarbhatta, District – Bilaspur (C.G.)
5. Smt. Vijaya Pathak W/o Vishnu Dev Pathak Aged About 65 Years R/o R-7, 39, Rama Valley Parsada, Bodri Tahsil Bilha, District – Bilaspur (C.G.)
6. Vineet Pathak S/o Vishnu Dev Pathak Aged About 35 Years R/o R-7, 39, Rama Valley Parsada, Bodri Tahsil Bilha, District – Bilaspur (C.G.), Current Address - MH-14, Talegaon Opposite Madhuban Sai City, Near Aishwarya Hotel, Talegaon Chakan Rd, Manohar Nagar Talegaon Dabhade, Maharashtra 410507.

---- Respondents

For Petitioner	:	Shri Anshuman Shrivastava, Advocate.
For Respondent Nos.1to4/State	:	Shri Gagan Tiwari, Deputy Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu

Order on Board**Per Ajay Kumar Tripathi, Chief Justice****07.02.2019**

1. Heard the learned counsel for the Petitioner and learned Deputy Government Advocate for the State.
2. Having perused the contents and the factual matrix of the case, there is a matrimonial dispute going on between the parties. The wife and the child have

been living with their mother. Section 9 petition under the Hindu Marriage Act, 1955 was also dismissed. Therefore, it is a via media being worked out by the Petitioner through a Habeas Corpus petition.

3. In the given facts and circumstances we are not satisfied that this petition can be entertained as a Habeas Corpus petition.
4. The writ application has no merit. It is dismissed.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge