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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2495 of 2019**

1. Smt. Kaushalya Bai Jaiswal, W/o Shri Ganesh Ram Jaiswal, Aged About 38 Years, President Of Jagriti Mahila Swasahayata Samuh, Village Jashpur, Tahsil Sarangarh, District Raigarh Chhattisgarh.
2. Smt. Shanti Bai Patar, W/o Shri Ram Patar, Aged About 40 Years, Secretary Of Jagriti Mahila Swasahayata Samuh, Village Jashpur, Tahsil Sarangarh, District Raigarh Chhattisgarh.

---- Petitioners**Versus**

- State Of Chhattisgarh, Through Collector, Raigarh, District Raigarh Chhattisgarh.

---- Respondent

For Petitioner : Shri M.P.S. Bhatia, Advocate

For Respondent/State : Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****23/07/2019**

Heard

1. The present petition has been preferred in the individual capacity of Smt. Kaushalya Bai Jaiswal being President of Jagriti Mahila Swasahayata Samuh, Jashpur and one Smt Shanti Bai Patar, Secretary of Jagriti Mahila Swasahayata Samuh, Jashpur.
2. The question being asked to the learned counsel for the petitioners that what is the legal entity of the petitioners, it is submitted that the case was filed against the petitioners No.1 & 2, therefore, they have filed this instant petition. During the course of submission, it is initially

stated that the Jagriti Mahila Swasahayata Samuh, was registered under the Societies Registration Act, thereafter the counsel submits that he do not know about it.

3. There is no document on record to show that what is the legal entity of the petitioners to file the present petition on behalf of Jagriti Mahila Swasahayata Samuh as necessarily the allotment of shop was to the Jagriti Mahila Swasahayata Samuh. The submission is that the case was filed against them i.e. petitioners, the appeal was filed by them. The document reflect the grant was in favour of Jagriti Mahila Swasahayata Samuh. Neither there is any resolution on record nor the Societies Registration certificate is on record to establish the fact that the petitioners have the legal entity in personem to file this petition. The counsel also refused to make any answer to the query of the Court.
4. Accordingly, this Court has no option except to dismiss the petition and nothing on record before the Court to ascertain the individual capacity of the petitioners to admit the writ petition in exercise of Article 226 of Constitution of India. The defect of proceeding if any can't be precipitated when issuance of writ is called for when the grant was made in favour of group. However, the petitioners shall be at liberty to file the petition on behalf of Jagriti Mahila Swasahayata Samuh.

Sd/-
(Goutam Bhaduri)
Judge