

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(Cr.) No. 750 of 2019

- Bharat Lal Patel S/o Umend Patel Aged About 52 Years R/o Village Chirko, Post Patewa, Police Station Patewa, Tahsil And District Mahasamund, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Home Affairs (Police), New Raipur, Mantralaya, New Raipur, Civil And Revenue District Raipur, Chhattisgarh
2. Director General Of Police Raipur, District Raipur, Chhattisgarh
3. Inspector General Of Police Range Mahasamund, District Mahasamund, Chhattisgarh
4. Superintendent Of Police Mahasamund, Civil And Revenue District Mahasamund, Chhattisgarh
5. District Magistrate Mahasamund, Civil And Revenue District Mahasamund, Chhattisgarh
6. Station House Officer Police Station Patewa, District Mahasamund, Chhattisgarh
7. Indal Patel S/o Rajaram Patel Aged About 58 Years
8. Dhruv Kumar Patel S/o Rajaram Patel Aged About 55 Years
9. Prahlad Patel S/o Rajaram Patel Aged About 52 Years
10. Fulmat Bai Patel W/o Kartik Patel Aged About 50 Years
11. Ganesh Patel S/o Kartik Patel Aged About 48 Years

(Respondent No.7 to 11 are r/o Village Chirko, Post Patewa, Police Station Patewa, Tahsil And District Mahasamund, Chhattisgarh)

---- Respondents

For Petitioner : Mr. Surfaraj Khan, Advocate.

For State/respondents : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-08-2019

Heard.

1. This petition has been brought for praying for issuance of an appropriate writ and directions.
2. Learned counsel for the petitioner submits that the complaint has been filed by the petitioner on this basis that the father and uncle of the petitioner had made a purchase of land in 1978 from one Rajaram s/o Kisun Ram Patel on a sum of Rs.950/-. The property was not mutated in favour of the father and uncle of the petitioner. However, after the death of Rajaram S/o Kisun Ram Patel, the property has been mutated in the name of his legal representatives. The petitioner has made repeated requests to the legal representatives of Rajaram Patel for registering the sale-deed, which they have denied. However, they agreed with the sale agreement of 1978, therefore, the offence be registered against the persons concerned.
3. Learned counsel for the State opposes the application and submits that it is a civil matter which cannot be entertained by this writ petition.
4. Heard learned counsel for both the parties and perused the documents.
5. After perusing the complaint as Annexure P-2, it is found that it is a civil matter, and the petitioner has entitlement to challenge and claim relief on the civil side. Therefore, the petition is not maintainable.
6. Accordingly, this petition is dismissed at motion stage.

Sd/-
(Rajendra Chandra Singh Samant)
Judge