

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 775 of 2019

- Basant Yadav S/o Shri Ashok Yadav, Aged About 28 Years, R/o Ramsagar Para, Dhamtari, Tahsil and District Dhamtari, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Competent Authority and District Magistrate, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For Petitioner – Shri Tapan Kumar Chandra, Advocate.

For State/respondent – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-10-2019

1. Heard.

2. This petition has not been directed against any specific order passed by the Special Court under Chhattisgarh Protection of Depositors Interest Act, 2005 (in short 'the Act, 2005'), however, it is submitted that an application has been filed by the respondent under Section 7(2) of the Act, 2005 on 27-12-2017 and the Special Court has not completed the proceeding so far. Therefore, direction is sought for expediting the matter.

3. Learned counsel for the State has no objection if any direction is issued.

4. Heard learned counsel for the parties and perused the documents.

5. As it is a fact that the application under Section 7(2) of the Act, 2005 has been filed on 27-12-2017 and there is a procedure laid down under Sub-section 4 and 5 of aforesaid Section of the Act, 2005 which has to be followed by the Special Court, which appears not to have been followed till date. Therefore, there is no hesitation to say that inordinate delay has taken place in considering the application by the Special Court.

6. Hence, the petition is disposed off with a direction to the Special Court under the Act, 2005 at Dhamtari to expedite the matter and conclude the proceeding as early as possible if it is not already disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge