

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.2284 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the writ petition is as under:-

“...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 4th respondent in not mentioning the applicable Sections in the FIR No.190/2013 as per the complaint referred by the court of learned Judicial First Class Magistrate, Huzurnagar, in spite of the orders of the 2nd respondent in C.No.1139/CCC/2013 dt.21-10-2013, as being illegal, arbitrary and unconstitutional and consequently direct the 2nd respondent to forthwith take immediate action against the 4th respondent for dereliction of his duties and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for the respondents 1 to 4 brought to the notice of this Court that pursuant to issuance of F.I.R.No.190 of 2013, investigation was conducted by the 4th respondent. After completion of investigation, final report was filed on 05.02.2015 before the Court of the Judicial First Class Magistrate at Huzurnagar, requesting the Court below to close the case as the matter is ‘civil in nature’. A copy of the said final report was also served on the petitioner/complainant on 05.02.2015.

4. Since the final report is already filed before the Court below and if the petitioner has got any objections, the remedy available to the petitioner is by way of a protest application as well as by filing an appropriate application as per provisions of the Criminal Procedure Code.

5. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition.

6. Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand dismissed.

P. KESHA VA RAO, J

9th December 2019

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