

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2837 of 2020**

- Sanjay Kumar Pandey S/o Late Shri Vedprakash Pandey, Aged About 50 Years R/o Kamla Kunj, Kargil Chowk Kasturba Nagar, Near Sindhi Colony P.S. Civil Line District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Secretary, Home Affairs, Government Of India, Internal Security Department-2, Legal Affairs, Second Floor, Major Dhyanchand National Stadium, Near India Gate, New Delhi 110001 (India)
2. State Of Chhattisgarh Through Secretary, Home (Police) Department, Mahanadi Bhawan, Mantralay Atal Nagar, District Nava Raipur Chhattisgarh
3. The Registrar, Supreme Court Of India, Supreme Court Premises, Tilak Marg, Mandi House, New Delhi 110001 (India).
4. High Court Of Chhattisgarh Through Registrar, High Court Of Chhattisgarh, High Court Campus, Bodri- Chakarbhata District Bilaspur Chhattisgarh
5. Director General Of Police, Police Head Quarter, Atal Nagar, District Nava Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Santosh Kumar Pandey, Advocate
For Respondent/ UOI	:	Shri Tushar Diwan, Advocate
For Respondents/ State	:	Shri Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27.11.2020**

Heard

1. Learned counsel for the petitioner would submit that the present petition has been filed for the following reliefs:-

10.1 That, Hon'ble Court may kindly be pleased to issue appropriate writ/orders/directions, towards the respondents to compliance the order/judgment by the Hon'ble Supreme Court of India in the matter State of Gujarat Vs. Kishanbhai Etc., passed in Criminal Appeal No. 1485/2008 vide its judgment dated 07.01.2014 with immediate effect.

10.2 That, this Hon'ble Court may kindly be pleased to issue appropriate writ/orders/directions, towards the respondents while considering the order/judgment dated 07.01.2014 and to issue a detail guideline from the date of passing the judgment dated 07.01.2014 till yet and to make mechanism.

10.3 That, this Hon'ble Court may kindly be pleased to issue appropriate writ/orders/directions, towards the respondents to decide the matter within one week as per para 22 of the judgment dated 07.01.2014 passed by the Apex Court.

10.4 That, this Hon'ble Court kindly be pleased to direct the respondents to consider and decide the representation/reminder letter made by the petitioner in accordance with law within stipulated period.

10.5 That, this Hon'ble Court may kindly be pleased to grant any other relief, as it may deem fit.

10.6 Cost of the petition may also be awarded.

2. The petitioner has prayed that the judgment passed in case of State of Gujarat Vs. Kishandhai etc in Criminal Appeal NO. 1485 of 2008 may be directed to be complied.
3. The pleadings as has been made would show that the general grounds have been raised and how the cause of action arises qua particularly petitioner is not clear. The pleadings appears to be vague as to how the petitioner is aggrieved. Therefore, the petitioner if so advised he may avail the remedy to file Public Interest Litigation. If the cause of action of petitioner is not established a roving enquiry can not be ordered for along with general direction. Since direction has already been given by the Hon'ble Supreme Court and they are for the authority to comply. If the petitioner is particularity aggrieved by a particular action he may avail the appropriate remedy available to him under the law.
4. Accordingly, the petition is dismissed.

Sd/-
(Goutam Bhaduri)
Judge