

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C No.1100 of 2019**

Abdul Hamid Khan Aged About 52 Years, Inspector M.P. Police Posted As Town Inspector, Police Training School Mana, Tahsil And District Raipur (Dead) Through Its Legal Heir Shambhavi Bhagwat (Shabina Khan), D/o Late Abdul Hamid Khan, Aged About 40 Years, R/o Behind The Vivekanand Vidya Pith, Teachers Colony, Behind Nirmal Kirana Store, Chhota Bhawani Nagar, Kota, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant**Versus**

1. The State Of Madhya Pradesh Through The Secretary, Home Department, Vallabh Vhavan, Bhopal. Now State Of Chhattisgarh, Through- The Secretary, Department Of Home, Mahanadi Bhawan, Nava Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. The Director General Of Police Government Of Madhya Pradesh, Police Headquarter, Jahangirbad, Bhopal, New Director General Of Police, Government Of Chhattisgarh, Police Headquarter, Atal Nagar, Nava Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

-----Non-Applicants

For Applicant:

Shri Manish Upadhyay, Advocate.

For Non-Applicants:

Shri Uddhav Sharma, Government Advocate.

Single Bench:Hon'ble Shri Sanjay S. Agrawal, J
Order On Board

04.12.2020

1. Heard on admission.
2. This Petition has been filed for restoration of W.P.(S) No.1144/2005, which was dismissed in default vide order dated 04.10.2012. It appears that one Abudl Hamid Khan had instituted a Petition before the State Administrative Tribunal at Jabalpur questioning the order dated 10.07.1995 and 14.07.1995, whereby he was given compulsory retirement from the tenure of his employment. The said application was registered as Original Application

No.204/95 and upon abolition of the said Tribunal and after the formation of the State of Chhattisgarh, it was transferred and listed before this Court as W.P.(S) No.1144/2005, which was dismissed in default on 04.10.2012. It appears further that said Abdul Hamid Khan has died on 17.03.2015, however, he (Abdul Hamid Khan), never approached this Court for restoration of his Petition even after two and half years of the passing of the order. That apart, the present Petition has been filed by his daughter namely Shambhavai Bhagwat without seeking leave of the Court for carrying out his grievance and as such, it cannot be held to be maintainable in the eye of law.

3. The Petition is accordingly dismissed. No order as to costs.

Sd/-
(Sanjay S. Agrawal)
JUDGE