

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No. 1856 of 2021

1. Anant Ram Sahu S/o Late Shri Anirudh Sahu Aged About 71 Years (Retired A S I), R/o Beladula Raigarh District Raigarh, Civil and Revenue District Raigarh Chhattisgarh.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Department Of Home Affairs, Mahanadi Bhawan, Mantralaya Naya Raipur District Raipur Chhattisgarh
2. Director General of Police Chhattisgarh Police Head Quarter, Raipur District Raipur Chhattisgarh.
3. Inspector General of Police Bilaspur Range Bilaspur District Bilaspur Chhattisgarh
4. Superintendent of Police Raigarh District Raigarh Chhattisgarh
5. B. S. Nishad Aged About 66 Years (Retired S.I), R/o Indu Chowkn Jarhabhata Bilaspur District Bilaspur Chhattisgarh

---Respondents

For Petitioner	:	Shri Rajendra Tripathi, Advocate.
For Respondent State	:	Shri Amrito Das, Addl. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07.06.2021

1. The present writ petition has been filed seeking following reliefs :

“10.1. That, the Hon'ble court may kindly be pleased to take action against the responsible respondent authorities who has given wrong promotion to the respondent No.5.

10.2. That, the Hon'ble court may kindly be pleased to give consequential promotion with back wages and appropriate compensation to the petitioner.

10.3. That, the Hon'ble court was pleased to call for the entire records pertaining to the case of the petitioner from the respondent authorities for kind perusal.

10.4. Any other relief or relief(s) which this Hon'ble Court may think proper in view of the facts and circumstances of the case may also kindly be granted.”

2. At the outset, this court is of the opinion that the writ petition is highly frivolous and the petitioner, who does not have any locus whatsoever, has filed the writ petition seeking for appropriate action against those persons

who have allegedly granted promotion to the respondent No.5. None of those persons who have granted promotion to the respondent No.5 have been individually made a party, nor is there any whisper as to who has committed wrong, nor is there any order from any competent authority or any court of law till date that the respondent No.5 was wrongly granted promotion. Only because the petitioner has not got a promotion in the backdrop of a punishment order being operated against him, the petitioner now has filed the present writ petition raising stale claims where promotions under similar circumstances have been granted.

3. It is settled position of law that a person who can file a writ petition is a person who is aggrieved of a particular order whereby any of his personal rights of whatsoever nature is infringed. No such order as such is under challenge in the instant writ petition showing that any right accrued in favour of the petitioner has been infringed, denied or violated.
4. Under the circumstances, for the reliefs which the petitioner has filed the present writ petition, may not be maintainable and in the opinion of this court the writ petition is totally baseless and a frivolous writ petition. Though this court wishes to dismiss the writ petition with heavy cost, but considering the age of the petitioner, this court is not imposing any cost, but dismissing the writ petition with a warning to the petitioner to avoid unnecessary and unwarranted litigation.
5. The writ petition accordingly stands dismissed.

Sd/-
(P. Sam Koshy)
Judge