

HIGH COURT OF CHHATTISGARH AT BILASPUR**Writ Petition (S) No. 5860 of 2011**

Satya Pujan Mishra S/o Late Shri Shankar Mishra,
Aged about 45 years, President of Rashtriya
Colliery, Mazdoor Congress, Korea, Post Chirmiri,
Distt. Korea, Chhattisgarh.

---Petitioner

Versus

- 1.State of Chhattisgarh, through its Secretary,
Department of Home, D.K.S. Bhawan, Mantralaya,
Raipur, Chhattisgarh.
- 2.Director General of Police, State of
Chhattisgarh, Police Head Quarters, Raipur,
Chhattisgarh.
- 3.Inspector General of Police, Surguja, Distt.
Ambikapur, Chhattisgarh.
- 4.Pradyumn Kumar Tiwari (Trivedi), A.S.I. Police
Station Ambikapur.
- 5.Superintendent of Police, Surguja, Distt.
Ambikapur, Chhattisgarh.

--- Respondents

For Petitioner :- Mr. Aditya Agrawal, Advocate
For State :- Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/08/2021

1. This writ petition has been preferred by the petitioner being the President of Rashtriya Colliery Mazdoor Congress stating that respondent No. 4 has committed certain illegalities and despite making representation, no departmental/criminal proceeding is being initiated against him, therefore, respondents No. 1 to 3 be directed to initiate appropriate proceedings against respondent No. 4.

2. Mr. Aditya Agrawal, learned counsel for the petitioner, would submit that petition is maintainable in view of the decision rendered by the Supreme Court in Y.V. Chandrachud, C.J., P.N. Bhagwati v. R. Krishna Iyer¹.

3. Mr. Avinash Singh, learned State counsel would submit that petitioner has no locus to file the instant petition.

4. I have heard learned counsel for the parties at length.

5. After hearing learned counsel for the parties and after going through the records and considering the fact that petitioner is the President of a Union and the Union has not filed this writ petition, but it has been filed by the

President and the resolution of the Union authorizing petitioner to file this writ petition has also not been brought on record, as such, neither the Union has filed this writ petition nor the resolution has been filed authorizing the petitioner to file the writ petition. Particularly considering the nature of the dispute brought before this Court, I do not consider it a fit case to entertain this writ petition.

6. Accordingly, the writ petition stands dismissed.

No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet