

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPCR No. 298 of 2021**

1. Mo. Junaid Memon S/o Mr. Mo. Haji Umar Memon Aged About 34 Years,
2. Mo. Khalid Memon S/o Mr. Mo. Haji Umar Memon Aged About 39 Years,

Both are Resident of H.No. 171/A, Cement Road, Anmol Tower, Vaishali Nagar, Nagarpur Maharashtra. Represented By Topeshwar Dewangan, Aged About 31 Years, S/o Mr. Uma Shankar Dewangan, Resident Of 42, Bhedikala, Rajnandgaon, Tehsil And Rajnandgaon Chhattisgarh.

---- Petitioners

**Versus**

1. State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan, New Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Collector / District Magistrate Distt. Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
3. Jail Superintendent Of Rajnandgaon Jail Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh
4. Station House Officer Police Station Chikhali, Distt. Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondents

-----  
For the Petitioners :- Shri Raza Ali, Advocate.

For the respondents/State :- Shri Jitendra Pali, Dy. AG.  
-----

**Hon'ble Smt. Justice Vimla Singh Kapoor,**

**Order on Board**

**04.06.2021**

The father of the petitioners herein died on 16.05.2021 and therefore, an application was moved by the petitioners before the Court below seeking permission to be taken to Nagpur (Maharashtra) from Central Jail Rajnandgaon (CG) for a period of 10 days (from 25.05.2021 to 04.06.2021 as is apparent from relief clause 'B' of the

writ petition) for performing his last rites. However, by order dated 18.05.2021 learned Court below partially allowed the application granting 3 days permission i.e. from 25.05.2021 to 27.05.2021 only to petitioner No.1 namely Mo. Junaid Memon. The application of petitioner No.2 namely Mo. Khalid Memon was however rejected.

2. The present petition has been filed for a direction to the respondents to take the petitioners to Nagpur for performing the last rites of their deceased father and also to provide a solace to their old ailing mother, in police custody for a period of 10 days. Other reliefs sought for by the petitioners are for modification of the order dated 18.05.2021 and for quashment of the order dated 28.12.2020.

3. Having heard counsel for the petitioners and taken note of the vehement opposition made by the counsel for the respondents, this Court is of the opinion that the purpose for which the permission to move to Nagpur was sought for by the petitioners has already come to an end as is evident from the document Annexure-P/3, and being so the directions prayed for by the petitioners would be of no utility to them. In these circumstances this Court is of the considered opinion that none of the reliefs claimed for by the petitioners can be granted by this Court.

4. Accordingly, the petition is without any merit and is hereby **dismissed**.

Sd/-  
(Vimla Singh Kapoor)  
Vacation Judge

*Jyotishi/Ajay*