

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 3263 of 2020

Rafique Ahmed Siddiqui S/o Late S.M. Siddiqui, Aged About 55 Years, R.T.I. Activist, R/o Nayee Basti Near Raja Talab, Raiur, Tahsil And District Raipur, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh Lok Ayog, Raipur, Gandhi Chowk, Raipur, Tahsil And District Raipur, Chhattisgarh
2. The Secretary, Government Of Chhattisgarh, Forest Department, Atal Nagar, Mantralaya, New Raipur, Chhattisgarh
3. The Branch Manager, Laxmi Mahila Nag Cooperative Bank Limited, Branch Raipur, Millennium Plaza, G.E. Road, Raipur, Tahsil And District- Raipur, Chhattisgarh
4. Vinod Singh Bais N.S. Bais Aged About 50 Years R/o Shailendra Nagar, Raipur, Tahsil And District- Raipur, Chhattisgarh

---- Respondents

For petitioner – Shri Harish Khuntiya, Advocate.
For State – Smt. Richa Shukla, Dy.G.A.
For respondent No.1- Shri Sumesh Bajaj, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

07/01/2021

Heard.

1. Instant petition has been filed seeking following reliefs:-

“(i) That this Hon'ble Court may kindly be pleased to call the records of case from the respondents.
(ii) That this Hon'ble Court may kindly be pleased to set aside the impugned order dated 14/10/2019 (Annexure P/1) and further be pleased to direct the respondent No.1 to re-hearing/re-examine the complaint of petitioner and pass order afresh, after providing opportunity of hearing to the petitioner.
(iii) That any other relief/order which may deem fit and just in the facts and circumstances of the case including award of the cost of the petition may be given.”
2. Learned counsel for the petitioner would submit that the Lokayukt

has not passed the order on merits and the respondent No.1 Chhattisgarh Lok Ayog may be directed to pass the order on merits as against the complaint made by the petitioner.

3. Perusal of the order dated 14/10/2019 would show that the finding recorded by the Secretary was endorsed and accepted by the Lokayukt on 14/10/2019 and the complaint was directed to be filed. The finding of the Secretary has not been reproduced but has been endorsed by the Lokayukt. In view of the same, again direction to pass an order on merits cannot be made as reading of the order dated 14/10/2019 would show that the finding has been recorded and the order has endorsed the said finding. Therefore order would be in the ambit of institutional hearing. The finality would envelop the finding which is on merits. Simply because the said finding has not been reproduced, it cannot be said that there is no application of mind was made by the Lokayukt. The petition sans any merit.

4. Accordingly, the petition is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE