

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 24 of 2021**

- Shivram Agrawal S/o Late Rajaram Agrawal Aged About 52 Years R/o Proprietor M/s Gaurav Filing Station, Ward No. 16 Housing Board Corner Camp-2, Bhilai, District Durg, Chhattisgarh

---- Appellant**Versus**

1. Shri Rakesh Agrawal S/o Late Rajaram Agrawal Aged About 44 Years R/o A-206, Kuber Apartment Shankar Nagar, Raipur, Tahsil And District Raipur, Chhattisgarh
2. State Of Chhattisgarh Through The Principal Secretary, Home Department Mahanadi Bhavan, Mantralaya Atal Nagar, Raipur, District Raipur, Chhattisgarh
3. The Collector Food Department Durg, District Durg, Chhattisgarh
4. The Food Controller District Durg, Chhattisgarh
5. The Food Inspector Bhilai, District Durg, Chhattisgarh

---- Respondents

For Appellant	:	Mr. Tarendra Kumar Jha, Adv.
For State	:	Mr. Arijit Tiwari, P.L.

DB : Hon'ble Shri Prashant Kumar Mishra, Acting C.J.**Hon'ble Smt. Justice Rajani Dubey**Per: Hon'ble Shri Prashant Kumar Mishra, Acting C.J.**05.07.2021****Proceedings through video conferencing.**

1. The appellant has preferred this writ petition seeking direction to any officer of the High Court to make complaint under the provision of Section 314 and 195 of Cr.P.C. before the competent Court against the respondent No. 1 for giving false evidence before this Hon'ble Court in WPC No. 399/2018.

2. The writ petition was preferred before the same Bench which had decided WPC No. 399/2018, however, the same Bench has declined to interfere and reserved liberty in favour of the petitioner to proceed in accordance with law.
3. If the Bench which has passed the order in WPC No. 399/2018 was of the view that the present is a dispute between two brothers relating to power of attorney filed before this Court, considering the dispute, the writ petition cannot be entertained, no exception can be found in the impugned order. The High Court cannot be made an instrument in filing criminal complaint in the dispute inter se between two warring brothers.
4. There is no substance in this intra court appeal. Accordingly, the present appeal is dismissed.

Sd/-
(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-
(Rajani Dubey)
Judge

V/-