

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 5347 of 2021

Anil Kumar Agrawal S/o Late Shri Kamal Kishore Agrawal Aged About 46 Years R/o B-704, Lalganga Rigaliya, Near Ganga Diagnostic, Lalpur, Raipur, District Raipur Chhattisgarh.

---Petitioner(s)

Versus

1. Chhattisgarh Rajya Pichhda Varg Ayog, Through Its Chirperson/chairman And Members, Chhattisgarh Rajya Pichhda Varg Ayog, C-21, Ravi Nagar, Behind Collectorate, Raipur, District Raipur Chhattisgarh.
2. Avinash Sahu S/o Late Dinesh Kumar Sahu Aged About 30 Years R/o Bhathagaon, Mahadev Ghat Road, White Wood, Near Italiya Project, Behind Kamal Tost Factory, Police Station Purani Basti, Raipur, District Raipur Chhattisgarh.

---Respondents

For Petitioner	:	Shri HB Agrawal, Sr. Advocate along with Shri Pankaj Agrawal, Advocate.
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Hon'ble Shri Justice P. Sam Koshy

Order on Board

20.12.2021

1. The present writ petition has been filed seeking for the following relief :

“10.1. That the Hon'ble court may kindly be pleased to allow the petition by directing the respondent No.1 to drop the proceedings holding it to be illegal, without jurisdiction and unwarranted looking to Annexure P/1 & P/2, and also to take action against the respondent No.2 for making false complaint against the petition as clear from Annexure P/2 and suitable action be taken against him.”

2. From the plain perusal of the pleadings and the documents it clearly reflects that the two documents Annexure P/1 and Annexure P/2 are two orders which have been passed around an year back i.e. 10.11.2020 and 28.12.2020.
3. Learned counsel for the petitioner submits that pursuant to the notice issued by the respondent No.1, the Commission, they have already

entered appearance and have submitted their reply and the matter is pending consideration before them. The counsel for the petitioner further submits that the petitioner is aggrieved of the fact that the Commission is not providing any further date to the petitioner and have also not been provided with the copies of the statement and the order sheets of the proceedings, if any drawn.

4. Given the fact that the petitioner has entered appearance before the respondent No.1 Commission, and have already tendered his reply and moreover there is already a document Annexure P/6 dated 01.12.2021 whereby the petitioner himself had sought for an exemption of his appearance and had sought the Commission to give a next date for his presence would give an indication that the petitioner is participating in the proceedings regularly and that be so it would not be proper at this juncture for this court to entertain the writ petition. The petitioner can very well make this prayer before the Commission and the Commission in turn would consider his request and proceed further only in accordance with law including the contention of the petitioner that they have raised in the reply so far as the tenability of the complaint itself by the Commission. Let the respondent No.1, Commission, take an appropriate decision in this regard at the earliest.

5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge