

c/f 1045

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P.NO. 1045 OF 2002.

PETITIONER

:

H.M.Khan, S/o  
Late Shri A.H.Khan,  
aged about 45 years,  
Posted as Range Officer,  
Game Range, Achanakmar,  
Sanctury, Forest Division  
Bilaspur, (C.G.).

P.R. No. 1028/02  
by Shri. Nehesh Reddy  
dated 20.05.02

V E R S U S

RESPONDENTS

:

1. State of Chhattisgarh,  
Through : The Secretary,  
Forest and Cultural Department,  
D.K.S. Bhawan,  
Raipur, (C.G.).
2. The Chief Conservator  
Of Forest, (Working Plan),  
Raipur, (C.G.).
3. The D.F.O.,  
Bilaspur, Division, Bilaspur,  
(C.G.).
4. The D.F.O. (Working Plan Unit),  
Jagdalpur, (C.G.)



WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION  
OF INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE  
OF MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE  
LIKE NATURE ETC.

TO,

1028/02  
Nehesh Reddy

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## आदेश पत्रक

मामला क्रमांक M.P.No. 1045/2002  
सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><b>29-05-2002</b></p> <p>Petitioner by Shri Rajesh Pandey, Advocate.</p> <p>State by Shri P.S. Koshy, Govt. Advocate.</p> <p>Heard on I.A.Nos.3322/2002 (application for urgent hearing) and 3323/2002 (application for hearing during summer vacation).</p> <p>The applications are allowed.</p> <p>Also heard on M.W.P.No.405/2002 for interim relief.</p> <p>Learned counsel for the petitioner submits that the Tribunal is not holding its sittings at Raipur and the urgent matters are not being heard as the Bench at Raipur is not available. He relies on a judgment of the Madhya Pradesh High Court reported in 1988 M.P.L.J. Page-640 in the case of <b>Vijay Singh Jadon - Vs - State of Madhya Pradesh and Others</b>, in which it was held that where a Bench is not available and the matter is of urgent nature requiring interim relief, the High Court may pass interim orders.</p> <p>Learned counsel for the State is in a position to dispute that the Bench is not available to hear the matter.</p> <p>Having thus considered the facts and circumstances, material available on record and in view of the judgment in the case of Vijay Singh Jadon - Vs - State of Madhya Pradesh and</p>	

[पीछे देखिये]

## आदेश पत्रक

मामला क्रमांक W.P.No. 1045/2002  
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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>Others (Supra), it is directed that the operation of the impugned order (Annexure P - 1, dated 16-05-2002) shall remain stayed during the intervening period.</p> <p>Since the Bench is not available, the petitioner shall file an application before an appropriate Bench with an application for interim relief. A copy of the said application shall be supplied to the State counsel. The State will be operative till consideration of interim relief by the tribunal. If there is any inordinate delay in filing, it will be open to the Government Advocate to mention about the case.</p> <p>Subject to the observations made above, I.A.Nos.3322/2002, 3323/2002, M.(W).P.No. 405/2002 and as well as this petition stand disposed of.</p> <p>Certified copy as per rules.</p>	

Sd/-  
Fakhruddin  
Judge