



18/02/10

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**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**DIVISION BENCH**

**CORAM:** HON'BLE SHRI RAJEEV GUPTA, C.J. &  
HON'BLE SHRI SUNIL KUMAR SINHA, J.

**Writ Appeal No.385 of 2009**

**Appellant**  
Petitioner

PK Sharma, S/o Rajaram Sharma,  
Executive Officer, Presently working in  
Antyavyavasayi Cooperative, Finance  
and Development, Bilaspur, aged about  
52 years, R/o Civil Lines,  
Rajanandgaon, District – Rajnandgaon  
(CG)

**Versus**

**Respondents**

- 1 Chhattisgarh State Antyavyavasayi  
Cooperative, Finance and Development  
Corporation, Raipur, through its  
Managing Director
- 2 Collector-cum-President, District  
Antyavyavasayi Cooperative, Finance  
and Development Corporation, Durg
- 3 Superintendent of Police, Durg, CG
- 4 Town Inspector, Durg, CG

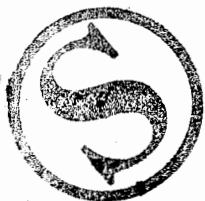
**Writ Appeal under Section 2 (1) of the Chhattisgarh High Court  
(Appeal to Division Bench) Act, 2006**

**Present** : Shri TK Tiwari, counsel for the appellant.

**Judgment**  
**(26<sup>th</sup> February, 2010)**

The following judgment of the Court was passed by  
**Rajeev Gupta, C.J.**

Shri TK Tiwari, learned counsel for the appellant is heard on  
admission.



- 2) Appellant, PK Sharma has filed this writ appeal against the impugned order dated 01.12.2009, passed in WP (Cr) No.7030/2009.
- 3) The appellant /petitioner in his writ petition was seeking a direction to respondent No.1 to consider the letter (Annexure P/7) dated 15.09.2009 and further direction to respondent No.4 to make enquiry as per the directions issued by this Court and not to file charge-sheet against the petitioner.
- 4) The learned Single Judge, on a thorough consideration of the submissions advanced on behalf of the petitioner and in view of the fact that in the appellant's earlier writ petition it was observed that *prima facie* case has been made out to initiate criminal case against the petitioner, declined to interfere and dismissed the appellant's writ petition vide impugned order dated 01.12.2009.
- 5) On due consideration of the submissions of learned counsel for the appellant, we do not find any infirmity in the impugned order which may warrant interference by this Court in this *intra Court* appeal.
- 6) The writ appeal, therefore, is liable to be dismissed and is hereby dismissed summarily.

Sd/-  
Chief Justice

Sd/-  
Sunil Kumar Sinha  
Judge