



NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**WPCR No. 903 of 2022**

- Madhushudan Mishra S/o Late Shri Surendra Mishra Aged About 37 Years R/o Near Mahant Talab, Behind Maruti Show- Room, Krishna Nagar Ward No. 12, Kota Police Station Saraswati Nagar Raipur, District : Raipur, Chhattisgarh

---- **Petitioner**

**Versus**

1. State Of Chhattisgarh Through Secretary Department Of Food, Civil Supplies And Consumer Protection, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh
2. The Food Controller/collector Raipur, Collectorate Office, Raipur, District : Raipur, Chhattisgarh
3. The Director Directorate Of Food, Civil Supplies And Consumer Protection, Block-2, Third Floor Indrawati Bhawan, Atal Nagar, Nawa Raipur, District : Raipur, Chhattisgarh

---- **Respondents**

(Cause title taken from Case Information System)

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For Petitioner	: Mr. Jitendra Nath Nande, Advocate
For State/Respondents	: Ms. Madhunisha Singh, Dy. A.G.
For Intervenor	: Mr. Pravin Kumar Tulsyan, Advocate

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**Hon'ble Shri Ramesh Sinha, Chief Justice**  
**Hon'ble Smt. Rajani Dubey, Judge**  
**Order on Board**

**Per Ramesh Sinha, Chief Justice**

**18.07.2023**

1. Heard Mr. Jitendra Nath Nande, learned counsel for the petitioner, Ms. Madhunisha Singh, learned Dy. A.G., appearing for the State/respondents and Mr. Pravin Kumar Tulsyan, learned counsel appearing for the intervenor.



2. By way of this writ petition, the petitioner has prayed for following reliefs:

*“10.1 That, the Hon'ble Court may kindly be pleased to issue a writ and direct the respondent authorities to register a First Information Report and initiate criminal proceedings against the Jai Ambey Primary Cooperative Society Consumer Store and the persons associated with the offender society, as per the enquiry report dated 31.08.2021 and Memorandum issued by the Collector dated 15.02.2022, in the interest of justice.*

*10.2. That, the Hon'ble Court may kindly be pleased to issue direction to Respondent authorities for considering the representation made by the petitioner dated 31.10.2022 and take appropriate action against the Jai Ambey Primary Cooperative Society Consumer Store and the persons associated with the offender society.*

*10.3 Any other relief/reliefs which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.”*

3. Learned counsel appearing for the petitioner submits that despite memorandum dated 15.02.2022 issued by the Collector, Raipur for taking necessary criminal action against the offenders, no action has been taken by the respondent authorities against the accused persons till date.
4. It has been submitted by learned State counsel that though the Collector vide order dated 15.02.2022 has passed the order for registration of FIR but no FIR has been registered as on the application moved by so-called accused Naresh Bafna, on 12.01.2023, the Collector concerned has passed the order to again enquire into the matter before lodging the FIR and as such, the matter is being enquired.





5. Considering the facts and circumstances of the case, the present petition is disposed off with a direction to the Collector concerned to ensure that the enquiry being conducted afresh as has been ordered by him is completed within a period of four weeks in accordance with law. If the petitioner is aggrieved by any order passed by the Collector concerned, he is at liberty to take recourse to law.

**Sd/-**

**(Rajani Dubey)**  
Judge

**Sd/-**

**(Ramesh Sinha)**  
Chief Justice

Ruchi

