

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VISHAL DHAGAT

ON THE 7th OF AUGUST, 2024

WRIT PETITION No. 17892 of 2024

NANDKISHORE RAHANGDALE

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Shambhoo Dayal Gupta - Advocate for the petitioner.

Shri Akshay Namdeo - Government Advocate for the State.

ORDER

Petitioner has filed this petition under Article 226 of the Constitution of India making following prayers:-

(i) Issue a writ in the nature of mandamus directing respondent No.4 to constitute a search team and conduct fair and impartial enquiry in relation to wife and sons of petitioner as early as possible, in the interest of justice.

(ii) Issue a writ of mandamus commanding the respondent No.3 and 4 to consider and decide the representation (Annexure-P/6) expeditiously.

(ii) Issue any other relief, which this Hon'ble High Court deem, just and proper in the facts and circumstances of the case.

2. Learned counsel appearing for the petitioner submitted that respondents failed to decide his representation and did not search for his wife and sons,

therefore, he is forced to file this petition before this court.

3. Heard.

4. Police Paraswada, District-Balaghat (MP) has produced wife and son of petitioner before this Court. Wife of petitioner informed this Court that petitioner used to beat her and her sons mercilessly, therefore, she left his house in year 2006. Petitioner is well aware with said facts and his brutality. She is not living with her husband for last 18 years. Knowing said facts fully well, petitioner has filed this petition abusing the process of Court. Police is unnecessarily put to trouble to search out the wife and son. Learned Government Advocate submitted that unnecessary petitioner has been filed.

5. After considering statement given by wife of petitioner, petition is *dismissed* with cost of Rs.10,000/- (Rs.Ten Thousand Only) which shall be deposited with the Madhya Pradesh High Court Employees Association, Jabalpur (Union Bank of India, High Court Branch, SB A/c No.519302010000235) within period of 30 days from today.

6. If cost is not deposited within 30 days from today then Collector concerned is directed to recover the cost by issuing RRC.

(VISHAL DHAGAT)
JUDGE

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