

Asha Yadav Vs Union Of India And Ors

Court: Chhattisgarh High Court

Date of Decision: Aug. 2, 2018

Hon'ble Judges: Ajay Kumar Tripathi, CJ; Prashant Kumar Mishra, J

Bench: Division Bench

Advocate: Saurabh Dangi, Surya Kawalkar Dangi, B. Gopa Kumar, J.K. Gilda, Manoj Sharma, Sunil Otواني, K. Rohan

Final Decision: Disposed Of

Judgement

Ajay Kumar Tripathi, CJ

1. The sum essence of the entire argument boils down to the effect that two Original Applications, which have been preferred by the private

respondent No.4, the Police Officer, before the Central Administrative Tribunal, Bench at Jabalpur, will have to be contested by the petitioner before

the said Forum.

2. The issues cannot be preempted by us in the present writ petition nor we would like to comment anything either on the facts or the law, which has

been urged at the bar, lest it come in the way of a free and fair adjudication by the CAT.

3. One thing, however, we do not appreciate is that the present petitioner, on whose complaint the law had been set into motion, is a necessary party

and was required to be made a respondent even in two Original Applications, which were filed by the private respondent No.4 before the CAT Bench,

Jabalpur. Since the information with regard to two OAs is available in public domain now, the Court directs the private respondent No.4 to implead the

petitioner herein as a party respondent in two OAs and the petitioner may either await issuance of a notice or appear on her own to contest two OAs.

All the arguments, which have been made before us, can be very well placed before the CAT Bench and we are sure that the CAT Bench will

objectively deal with it as well and decide the matter within the frame work of law and statute.

4. There is some kind of urgency involved in early resolution to the legal battle, which was initiated in the year 2016 and more than two years have

already been gone past and nothing tangible by way of relief either to the victim or the accused officer has occurred so as to give a rest to the lis. In

the interest of things the CAT Bench, Jabalpur, is expected to give some priority to the cases with the assistance of the two contesting parties for an

early decision.

5. This writ petition stands disposed off with the observations and expectation as above.