

Kusum Devi Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Dec-03-2012

Appellant : Kusum Devi

Respondent : The State of Madhya Pradesh

Advocate for Pet/Ap. : Shri. Himanshu Shukla

Judgement :

W.P.No.17888/2012 (Kusum Devi versus State of MP and otheRs.03.12.2012
Heard Shri Himanshu Shukla, learned counsel for the petitioner on the question of admission and interim relief.

The petitioner has filed this petition being aggrieved by order dated 24.09.2012 passed by the Sub Divisional Officer, Tahsil Huzur, District Rewa wherein he has directed registration of an F.I.R.in respect of the misappropriation of Rs.eight lacs and the loss of documents which are not being made available inspite of the fact that several applications and opportunities were given to the concerned persons.

Admittedly, the impugned order passed by the S.D.O.can be assailed by the petitioner before the appellate authority in accordance with law.

In the circumstances, at this stage the learned counsel for the petitioner submits that in case the petitioner takes up an appropriate proceedings before the appellate authority within 15 days, the appellate authority be directed that the appeal of the petitioner may not be dismissed only on the ground of limitation.

Prayer made by the learned counsel for the petitioner is accepted and it is observed that in case the petitioner takes up the appropriate proceedings before the appellate authority within 15 days along with a copy of the order passed today and a copy of the petition, the appellate authority shall consider it on merits and shall not dismiss the same only on the ground of limitation.

With the aforesaid observations, the petition filed by the petitioner stands disposed of.

C.C.as per rules.

(R.S.Jha) Judge msp

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