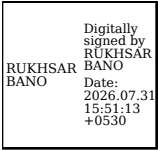




CGHC010318852025



2026:CGHC:33012



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MA No. 139 of 2025

1 - Raj Najat S/o Late Najat Ali Aged About 70 Years R/o 1802 Tower, Satya Divinity, Behind Global Mall, Nayandahalli Bangalore, Karnataka 560039.

... Appellant

versus

1 - Ajay Najat S/o Late Najat Ali Aged About 69 Years R/o Winners Valley English School, Mandir Chowk Gurughasidas Nagar, Jarhabhata, Bilaspur, Tehsill And Distt. Bilaspur C.G.

2 - State Of Chhattisgarh Through Collector Bilaspur, District Office Bilaspur, Tehsill And Distt. Bilaspur C.G.

... Respondents

(Cause title, as taken from CIS)

Appellant, Mr. Raj Najat, is present in person.

For Respondent No.1 : Mr. Shobhit Koshta, Advocate

For Respondent No.2/State : Mr. Ujjawal Choubey, Panel Lawyer.

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

30/07/2026

1. Heard on I.A. No.09/2026, an application under Section 32 of the Advocates Act, 1961 seeking permission to appear and argue as party-in-person.

2. The appellant, appearing in person, submits that he wishes to pursue the case himself and make his own submissions.
3. Learned counsel for the respondents have no objection to the prayer made by appellant.
4. On due consideration, **I.A. No.09/2026 is allowed**. The appellant is permitted to appear and argue the case as a party-in-person.
5. The appellant further seeks permission to withdraw I.A. No.02/2026, an application under Section 151 of the Code of Civil Procedure, 1908, read with Section 52 of the Transfer of Property Act, 1882, to declare the registered sale deed dated 10.03.2026 as void ab initio, a nullity, and non-est in law for being executed by extrinsic fraud during the pendency of this appeal; and also I.A. No.05/2026, an application under Section 379 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (formerly Section 340 of the Code of Criminal Procedure, 1973) read with Section 151 of the CPC, 1908, for initiating preliminary inquiry into offenses committed against the administration of justice and commission of extrinsic fraud upon the Court.
6. Learned counsel for the respondents do not oppose the prayer made by the appellant.
7. Accordingly, the appellant is permitted to withdraw I.A. No.02/2026 and I.A. No.05/2026.
8. Also heard on I.A. No.08/2026, an application under Order VI Rule 17 read with Order I Rule 10 and Section 151 of the CPC, 1908

seeking amendment in the prayer clause of the pending interlocutory application and impleadment of proposed respondents.

9. The appellant, appearing in person, submits that during the pendency of the present miscellaneous appeal, respondent No.1 sold the subject land to the proposed respondents. Therefore, he prays that they be impleaded as parties in instant appeal. He further submits that, in respect of aforesaid chain of facts, he may also be permitted to incorporate additional prayer in the memorandum of appeal.
10. In reply, learned counsel for respondent No.1 submits that since the civil suit filed by the appellant/plaintiff was returned by the concerned Trial Court vide impugned order 09.07.2025, the present appeal has become infructuous. He further submits that the proposed respondents were not parties before the Trial Court and, therefore, there is no necessity to implead them in the instant miscellaneous appeal.
11. Having considered the submissions and the fact that the proposed respondents were not parties before the Trial Court, this Court is not inclined to allow aforesaid application. Accordingly, **I.A. No.08/2026 is rejected.**
12. Also heard on admission.
13. After arguing for sometime, the appellant, appearing in person, seeks permission to withdraw the present miscellaneous appeal

with liberty to avail the appropriate remedy before the competent Civil Court by filing a fresh civil suit, in terms of the liberty granted by the concerned Trial Court in its order dated 09.07.2025.

14. Learned counsel for the respondents have no objection to the prayer made by appellant.
15. The prayer is allowed.
16. Consequently, the present miscellaneous appeal is dismissed as withdrawn with liberty as prayed for.
17. Pending interlocutory application(s), if any, stands disposed of. No order as to cost(s).

Sd/-
(Naresh Kumar Chandravanshi)
JUDGE