



CGHC010321072026



2026:CGHC:37011

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 766 of 2026

Dilip Sahu S/o Ram Krishna Sahu Aged About 29 Years R/o Village Kirwai, Tehsil Simga, District Baloda Bazar, Through Power Of Attorney Hemlal Sahu S/o Late Ram Krishna Sahu R/o Village Kirwai, Tehsil Simga, District Baloda Bazar C.G.

... **Petitioner(s)**

versus

1 - Kamal Prasad Kasar S/o Kanhaiya Lal Kasar Aged About 59 Years R/o Near Akhade, Sati, Bazar Raipur District Raipur C.G.

2 - Jairam Dubey S/o Shri Keshav Prasad Dubey Aged About 32 Years R/o Kankalipara Raipur Tehsil And District Raipur C.G. Other Address- Rajdhani Photocopy Janta Colony Behind Balaji Mandir Gudiyari Raipur Tehsil And District Raipur C.G.

3 - State Of Chhattisgarh Through The Collector, District Baloda, Bazar Bhatapara C.G.

... **Respondent(s)**

(Cause title taken from CIS)

This is an Office reference.

For Petitioner(s) : Shri T.K. Jha, Senior Advocate along with

Shri Bhaskar Jha, Advocate

For Respondent/State : Shri Suyashdhar Badgaiya, Govt. Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

19.08.2026

1. This is an office reference based on a PUD received from the concerned Court seeking extension of time for compliance with the directions issued by this Court in M.A. No. 20/2022 (Dilip Sahu v. Kamal Prasad Kasar & Others).
2. It is stated that this Court vide order dated 08.04.2026, directed the concerned Trial Court to decide the application under Order IX Rule 13 of the Code of Civil Procedure in Miscellaneous Civil Suit Case No. H-44/2017 (Dilip Sahu v. Kamal Prasad Kasar) within a period of 30 days from the date of appearance of the parties.
3. It is further stated that, pursuant to the aforesaid order, the non-applicant Jairam Dubey did not appear on the date fixed and notice was accordingly issued. Thereafter, on 15.07.2026, the learned counsel appearing for non-applicant Jairam Dubey entered appearance, whereas no counsel appeared on behalf of the State of Chhattisgarh and, consequently, ex parte proceedings were drawn against the State.

4. It is submitted that the record of the concerned proceedings is required for proper and effective adjudication of the application under Order IX Rule 13 CPC. However, owing to the circumstances stated by the learned Trial Court, the application could not be decided within the period of 30 days prescribed by this Court.
5. Considering the reasons assigned by the learned Trial Court and the stage of the proceedings, the request for extension of time appears to be bona fide and deserves to be allowed.
6. Accordingly, a further period of 30 days from the date of this order is granted to the learned Trial Court for compliance with the directions contained in the order dated 08.04.2026 and for disposal of the application under Order IX Rule 13 CPC in Miscellaneous Civil Suit Case No. H-44/2017 (Dilip Sahu v. Kamal Prasad Kasar).
7. With the aforesaid extension of time, the MCC stands disposed of.

Sd/-

(Bibhu Datta Guru)
Judge