



(3) ⊕

BEFORE THE HON'BLE HIGH COURT OF
CHHATTISGARH BILASPUR

Second Civil Appeal No. : 171 /2001

*Selected the names of appellants - No. 1 & 2 as per Court order dt. 20/02/08
Jmt. Naigwal 20/4/08*

APPELLANTS
(Plaintiffs)

1. Smt. Dharmin Bai aged about 70 years
W/o Shri Bikun Chandrakar
2. Smt. Sohaga Bai aged about 65 years
W/o Shri Bikun Chandrakar
3. Damodar Prasad Chandrakar aged about 44 years
S/o Shri Bikun Lal Chandrakar
4. Smt. Hira Bai aged about 40 years
W/o Shri Satrugan
5. Smt. Sushila Devi aged about 38 years
W/o Shri Krishna Kumar
6. Lavkush Chandrakar aged about 36 years
S/O Shi Bikun Lal Chandrakar
7. Smt. Radha Bai aged about 34 years
W/o Shri Bhesh Narayan
8. Pawan Chandrakar aged about 28 years
S/O Shi Bikun Lal Chandrakar
9. Komal alias Hemant Kumar aged about 26 years
S/O Shri Bikund Chandra Kar
10. Smt. Sohadra Bai aged about 45 years
W/o Late Shri Jagannath
11. Smt. Tripti Devi aged about 25 years
D/o Late Shri Jagannath
12. Ku. Tulim aged about 15 years
D/o Late Shri Jagannath
13. Pravin Kumar aged about 11 years
S/o Late Shri Jagannath
14. Ku. Rina aged about 8 years
D/o Late Shri Jagannath
15. Smt. Shanti Devi aged about 22 years
W/o R/o vill. Hanoda

All minors
Through their
mother Jagadlan
Smt. Sohadra
Bai

Wt.

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(4)
15. Smt. Shanti Devi aged about 22 years
W/o ~~Gowinda Prasad~~ R/o vill. Hanoda
 16. Smt. Mantora Bai aged about 52 years
W/o Shri Jagat Pal R/o Ghuksidih,
Tah. & Dist. Durg.
 17. Smt. Sonbati aged about 72 years
W/o Late Shri Lakhan Lal Chandrakar
 18. Ghanshyam Chandrakar aged about 50 years
S/o Late Shri Lakhanlal Chandrakar
 19. Chandra Kumar Chandrakar aged about 45
years
S/o Late Shri Lakhanlal Chandrakar
 20. Smt. Sarswati Devi aged about 53 years
W/o Late Shri Mahadeva Chandrakar S/o Late
Shri Lakhanlal Chandrakar
 21. Smt. Kali Bai aged about 43 years
W/o Ghanshyam Chandrakar
(D/o Late Shri Lakhanlal Chandrakar)
 22. Smt. Chit Rekha aged about 54 years
W/o Late Shri Panna Lal Chandrakar
 23. Devendra Kumar aged about 34 years
S/o Late Shri Panna Lal Chandrakar
 24. Narendra Kumar aged about 30 years
S/o Late Shri Panna Lal Chandrakar
 25. Tirath Kumar alias Raju aged about 27 years
S/o Late Shri Panna Lal Chandrakar
 26. Kamlesh aged about 24 years
S/o Late Shri Panna Lal Chandrakar
 27. Smt. Manjoo Devi aged about 34 years
W/o Shri Rajendra Kumar
(D/o Late Shri Panna Lal Chandrakar)
 28. Smt. Godavari aged about 29 years
Widow o Shri Not Ram
(D/o Late Shri Panna Lal Chandrakar)
 29. Smt. Rashmi Devi aged about 22 years
W/o Shri Ghanshyam Chandrakar
(D/o Late Shri Panna Lal Chandrakar)

All r/o Vill. Rishama, Dist. Durg (Chhattisgarh)

[NB : One Shri Ravi Kumar who was unmarried and who died and whose mother is appellant had been dropped as appellant.)

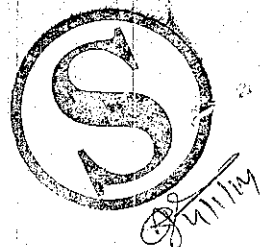
VERSUS

RESPONDENT
(Defendant)

Steel Authority of India Ltd.
(Bhilai Steel Plant)
Through the Managing Director
Bhilai Steel Plant, registered office
Bhilai Nagar, Dist. Durg.

1. Original Civil Suit No. 29A/92
Smt.Dharmin Bai and others Vs.
Steel Authority of India (Bhilai Steel Plant)
decided by the Hon'ble Court of Shri R.B.Ghore
VIth Civil Judge Class II, Durg on 3.2.97.
2. First Civil Appeal No. 13 A/97
Shri Dharmin Bai and others Vs.
Steel Authority of India (Bhilai Steel Plant)
decided by Shri A.K. Chaturvedi, Vth Addl.
Judge
to the District Judge, Durg on 25.11.2000.

SECOND CIVIL APPEAL U/S 100 C.P.C.



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HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Shri Justice P. Sam Koshy

Second Appeal No. 171 of 2001

**Appellants/
Plaintiffs**

Damodar Prasad Chandrakar
and others

VERSUS

**Respondents/
Defendants**

Steel Authority of India Ltd.
and others

Present: Smt. Meera Jaiswal, counsel for the appellants.
Shri B. D. Guru, counsel for the respondents.

ORAL ORDER
(01.01.2014)

By way of instant second appeal the appellants have challenged the judgment and decree dated 25.11.2000 passed by Fifth Additional District Judge, Durg in Civil Appeal No. 13-A/97 whereby the first Appellate Court has affirmed the judgment and decree dated 03.02.1997 passed by Sixth Civil Judge Class II, Durg in Civil Suit No. 29-A/92.

2. After arguing for some time counsel for the appellants seeks permission of this Court to withdraw the present second appeal reserving liberty to approach the competent authority under the provisions of Land Acquisition Act for claiming compensation in respect of the alleged dispossession of the appellants by the respondents or before any other legal forum.

3. The appellants seeks withdrawal of this appeal in the



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light of the alleged admission on the part of the respondents in their written statement before the trial Court wherein the management has stated that the right of the appellant in respect of the land in Kh. No. 286 if at all was only to receive compensation by moving appropriate application under Section 18 of the Land Acquisition Act that too if he was aggrieved by the action of the respondents.

4. In these said circumstances, counsel for the appellants intends to withdraw the present second appeal to avail the remedy under the provisions of Land Acquisition Act or under any other law if permissible.

5. In view of the same, the appellants are permitted to withdraw the second appeal.

6. Accordingly, the instant second appeal is disposed of having been withdrawn with the aforesaid liberty. No order as to cost.

Sd/-
P. Sam Koshy
Judge