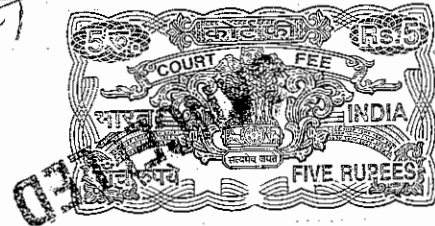


Single Bench (4)



**BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR**

CIVIL REVISION No. 126 /2013

**APPLICANTS
DEFENDENTS**

1. Kailash S/o Mangra, ^{aged 42 years} Caste Munda, R/o village Purnanagar, Tahsil & District Jashpur (C.G.)
2. Smt. Bernadit W/o Jerom Tirkey, ^{aged 45 years} Caste - Uraon, R/o village Kanmora, Tahsil & District Jashpur (C.G.)
3. Smt. Shiromani Khalko, ^{aged 35 years} w/o Anil Kumar Khalko, Caste Uraon.
4. Smt. ^{Mananti} Shiromani Kindo w/o Niranjan Kindo, ^{aged 38 years} Caste Uraon.

R.No. CK 126/13
Presented by Shri H. Mahanti
dated 25.9.13

Both Resident of village Jashpur Nagar (Bankatoli) Tahsil & District Jashpur (C.G.), Civil and Revenue Dist - Jashpur (C.G.)

VERSUS

**NON-APPLICANTS
PLAINTIFFS**

1. Chamru s/o Ledra @ Dhansai, age 72 years.
2. Ram S/o Chamra, age 40 years
3. Shyam s/o Chamra, age 38 years.

All by caste Munda, Resident of village Purnanagar, Tahsil Jashpur, District Jashpur (C.G.)

Non-applicant No. 1 and 2, presently resident of Yogesh Chandra Tea Estate, Malhati, District Jolpaigudi (W.B.)

48 The State of Chhattisgarh, Through the Collector, Jashpur (C.G.)

**CIVIL REVISION U/S. 115 OF THE CODE OF CIVIL
PROCEDURE**



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HIGH COURT OF CHHATTISGARH AT BILASPUR

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

Civil Revision No. 126 of 2013

Applicants

Kailash and others

Defendants

VERSUS

Non-applicants

Chamru and others

Present: Shri AK Prasad, counsel for the applicants.
 Smt Farha Minhaz, PL for the State.

Oral Order
(30.09.2013)

Heard on admission.

2. Having gone through the facts of the case, it is reflected that initially the non-applicants/plaintiffs had filed a suit claiming declaration of title and sale deed executed between defendant No.1 with that of defendants No.2, 3 and 4 be declared null and void.

3. The applicants/defendants on receipt of notice of the suit, entered appearance before the Court below and filed detailed written submissions along with the objections. The Court below, thereafter framed the issues taking into consideration the objections raised by the applicants/defendants.

4. The issues were framed on 4.12.12. Subsequently, on 8.3.13, the applicants/defendants had moved an application under Order 7 rule 11 of CPC for rejection of the said plaint. After considering the objections of either side, the Court below vide order dated 26.8.13 has rejected the said application and posted the matter for recording the evidence of the parties.

5. Having considered the facts and circumstances of the case and on perusal of the order, it is found that the Court below has considered all the objections raised by non-applicants/plaintiffs and has also duly appreciated the same. Therefore, I find no infirmity in the finding recorded by the Court below so as to interfere with the impugned order. Even otherwise, the objections so raised would be considered by the

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Court below and if for some reason, the same is not duly considered, the applicants/defendants would always have a right to challenge the same at the appropriate stage.

6. In view of above, the civil revision having no good ground calling for interference, the same is accordingly dismissed.

Sd/-
P.Sam Koshy
Judge