



(5)

Single Bench

IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

M.A. No.

95

/ 2013

C.R. 15/

<u>APPELLANTS</u> <u>DEFENDANTS</u>	1]	Gaurishankar Gupta S/o. late Krishna Chand Gupta, aged about. 63 years,
	2]	Smt. Usha Gupta D/o. late Krishna Chand Gupta, aged about. 60 years through power of attorney holder Gaurishankar Gupta S/o. late Krishna Chand Gupta,
R No. <u>MA 95/13</u> Presented by Shri. <u>Bijay Kumar</u> Dated <u>12/12/13</u>		Both are R/o. Joda Peepal, Ambikapur, P.S. & Tahsil Ambikapur, Civil & Revenue District. Surguja, District. Surguja, C.G.
	3]	Anil Agrawal S/o. Ishwarchand Agrawal, Director-Jai Hanuman Infrastate Limited, aged about 39 years, R/o. Manendragarh Road, Ambikapur, P.S. & Tahsil Ambikapur, Civil & Revenue District. Surguja, District. Surguja, C.G.
		<u>VERSUS</u>
<u>RESPONDENTS</u>	1]	Anil Kumar Sethia S/o. Shri Chunnilal Sethia, aged about. 38 years, R/o. Main Road Vardarnagar, P.S. Vardafnagar, Civil & Revenue District. Balrampur, District. Balrampur, C.G. At present R/o. Joda Peepal, Kedarpur, Ambikapur, P.S. & Tahsil Ambikapur, Civil & Revenue District. Surguja, District. Surguja, C.G.Plaintiff
	2]	State of C.G. through Collector Surguja, Ambikapur, P.S. & Tahsil Ambikapur, Civil & Revenue District. Surguja, District. Surguja, C.G.Respondent no. 4

MISCELLANEOUS APPEAL UNDER ORDER 43 RULE 1 (f)
OF THE CODE OF CIVIL PROCEDURE

Being aggrieved by the order dated 07.11.2013, passed by 1st Additional District Judge, Ambikapur, District Surguja (C.G.), passed



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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक MA No. 95/13 सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<u>S.B: HON'BLE MR.JUSTICE SANJAY K. AGRAWAL</u> <u>01.01.2014:</u> Ms. Priyanka Mehta, counsel for the appellants/defendants. Mrs. Chitra Shrivastava, PL for the State/respondent No. 2. Heard on admission. This is defendants' appeal filed under Order 43 Rule (1)(r) of the CPC against the order dated 07.11.2013 passed by 1st Additional District Judge, Ambikapur, Distt. Sarguja in Civil Suit No.11-A/2013 by which the trial Court has granted temporary injunction in favour of respondent No.1/plaintiff whereunder his property shall not be alienated for a period of six months. After arguing for some time, learned counsel appearing for the appellants/defendants would submit that the civil suit is pending for consideration since September, 2013 and looking to the fact that temporary injunction has been granted for a limited period i.e. six months, a direction may be issued to the trial Court to decide the suit within a specified time frame without being influenced by any of the observations made in the impugned order dated 07.11.2013. Prayer appears to be fair and reasonable. It is directed that the 1st Additional District Judge, Abmikapur, Distt Sarguja will do well to expedite the trial of Civil Suit No. 11-A/2013 (Anil Kumar Vs. Gouri Shankar Gupta & others) pending in his court and will decide the suit as early as possible preferably	



XI-HC-78

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	within a period of six months from the date of receipt of copy of this order without being influenced by any of the observations made in impugned order dated 07.11.2013.. Accordingly, the misc. appeal stands finally disposed of. Certified copy, as per rules.	Sd/- Sanjay K. Agrawal Judge