

HIGH COURT OF CHHATTISGARH, BILASPUR

WP No. 7016 of 2006

1. State Of Chhattisgarh, through Collector, District Janjgir-Champa (C.G.)
2. The Chief Executive Officer, Chhattisgarh Gramin Sadak Vikas Pradhikaran, Office of Development Commissioner, Civil Line, Raipur (C.G.)
3. The Executive Engineer & Member Secretary, Project Unit, Pradhanmantri Gramin Sadak Yojana, Janjgir (C.G.)

---- Petitioner

Versus

1. Sajjan Kumar Agrawal, aged about 46 years, S/o Shri Sitaram Agrawal, R/o Main Road Janjgir, Tahsil-Janjgir, District Janjgir-Champa (C.G.)

---- Respondent

For Petitioners/State
For Respondent

Shri Adiraj Surana, Dy. GA
Shri Anumeh Verma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

24/03/2015

Heard learned counsel for the parties.

1. This writ petition is directed against the order dated 08.08.2006 passed by the Additional District Judge, Janjgir, whereby while allowing the appeal preferred by the respondent, set aside the order passed by the trial Court and granted temporary injunction in favour of the respondent.
2. This petition is pending since October, 2006. There is no interim relief operative in favour of the petitioners, which means the temporary injunction is operative in favour of the plaintiff.

3. It is informed by the learned counsel for the respondent that subsequent to the passing of the impugned order, the trial Court has allowed the defendants' application under Order 7 Rule 11 of the Code of Civil Procedure, 1908 and has directed the respondent to deposit the requisite Court fee, however, the said order is under challenge before the higher Court and the further proceeding of the trial Court is stayed.
4. Be that as it may, since in the present case the temporary injunction is operative in favour of the plaintiff since last about 7½ years, there is no reason for keeping this writ petition pending. Accordingly, the writ petition is disposed with a direction that as soon as the proceedings in which the further proceedings of the trial Court have been stayed comes to an end, the trial Court shall do well to dispose of the suit within a period of six months thereafter.
5. No order as to costs.

JUDGE

Gowri