

HIGH COURT OF CHHATTISGARH, BILASPUR

CR No. 28 of 2015

- Smt. Rajkumari Chouhan, aged about 52 years W/o Shri Jhullu Singh Chouhan, R/o House No 186, Sunder Nagar, Mahadeo Ghat Raod, Raipur, Tahsil and District-Raipur C.G.

---- Applicant

Versus

1. Smt. Nirmala Mishra aged About 64 Years W/o Shri R.N. Mishra, R/o 64 Anand Nagar, Raipur, Tahsil And District-Raipur C.G. through Power of Attorney Holder Shri Ravindra Nath Mishra, R/o 64, Anand Nagar, Raipur Tahsil and District-Raipur C.G.
2. Registrar, Cooperative Societies Paikage, Raipur, Office Vivekanand Nagar, Raipur, Tahsil and Distt. Raipur C.G.
3. Sunder Nagar Grih Nirman Sahakari Samiti Maryadit Mahadeo Ghat Road, Sunder Nagar, Raipur, though The President, Sunder Nagar Grih Mirman Sahakari Samiti Maryadit, Raipur C.G.

---- Respondents

For applicant	: Mr. G.D. Waswani, Advocate.
For Respondent No. 1	:Ms. Sharmila Singhai, Advocate.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

21/07/2015

1. Mr. G.D. Waswani, Advocate for the applicant.
2. Ms. Sharmila Singhai, Advocate for respondent No. 1.
3. Notice issued to respondent No. 3 returned unserved as the Committee is not functional for last more than one year. Notice issued to respondent No. 2 is not returned served or unserved.
4. Heard on I.A. No. 1/2015 for condonation of delay as the instant revision is preferred after 97 days of its limitation.
5. One due consideration, I.A. No. 1/2015 is allowed. Delay in filing the revision is condoned.
6. Heard on admission.
7. Learned counsel for the applicant submits that he be given an opportunity to file appropriate application under the provisions of Order 14 of the CPC for hearing additional issue No. 3-A as a

preliminary issue.

8. In view of submission made by learned counsel for the applicant, instant civil revision is hereby disposed of with a liberty to the applicant to file appropriate application under the law before the trial Court for hearing of Issue No. 3-A as a preliminary issue. The trial Court is directed to decide the issue after hearing both the parties in accordance with law.

Sd/-
Chandra Bhushan Bajpai
Judge