



Single Bench

IN THE HIGH COURT OF CHATTISGARH AT BILASPUR, C.G

WRIT PETITION (227) NO. 953/2014

**PETITIONER
PLAINTIFF**

SATISH KUMAR, S/O B.P LAHMOR,
AGED ABOUT 21 YEARS (NOW 27
YEARS), CAST DHIVAR, R/O NEW
CHANDNIYA PARA JANJGIR, TAHSIL
JANJGIR, DISTRICT JANHGIR CHAMPA,
C.G

953/14
Presented by Shri Yogesh Chandra
dated 24.12.14

VERSUS

**RESPONDENTS
DEFENDENTS**

1. DWARIKA PRASAD, S/O LATE MANGALI
PRASAD GUPTA, AGED ABOUT 40
YEARS (NOW 46 YEARS), R/O MAIN
ROAD BILHA, PRESENT ADDRESS: MAA
NARMADA FERTILIZER COMPANY
SHANICHRI BAZAR, BILASPUR,
DISTRICT BILASPUR, C.G
2. STATE OF CHHATTISGARH, THROUGH
COLLECTOR, BILASPUR, DISTRICT
BILASPUR, C.G



**WRIT PETITION UNDER ARTICLE 227 OF THE
CONSTITUTION OF INDIA**



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HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (227) No. 953 of 2014

PETITIONER

Satish Kumar

Versus

RESPONDENTS

Dwarika Prasad & another

Shri Yogesh Chandra, counsel for the petitioner.
Shri Sunil Pillai, Panel Lawyer for the State.

SINGLE BENCH : HON'BLE SHRI PRASHANT KUMAR MISHRA, J.

**ORAL ORDER
(22/01/2015)**

Petitioner has challenged the legality and validity of order passed by the trial Court whereby he has been permitted to abandon the suit. The order has been passed on an application moved by the petitioner/plaintiff himself under Order 23 Rule 1 of Code of Civil Procedure.

2. In view of the fact that petitioner has withdrawn the suit of his own, the same amounts to a consent order which cannot be challenged before any superior Court.

3. This petition under Article 227 of the Constitution is not maintainable. It is accordingly dismissed.

Sd/-
Prashant Kumar Mishra
Judge