

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 767 of 2014

Rohit Kumar Bothara, S/o Bhanwar Lal Bothara, Aged About 25 Years, Caste Jain, R/o Village Sambalpur P.S. & Tahsil Bhanupratappur Civil & Revenue Distt. Kanker C.G.

---- Petitioner

Versus

1. Goutamchand Jain S/o Champalal Jain Aged About 51 Years, Caste- Jain, R/o Village Sambalpur P.S. & Tahsil Bhanupratappur, Civil & Revenue Distt. Kanker C.G.
2. The State Of Chhattisgarh Through Collector Kanker, Distt. Kanker C.G.

---- Respondents

For Petitioner	:	Shri Jitendra Gupta, Advocate
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer

Order On Board

05/10/2015

Heard.

1. This petition is directed against order dated 24.9.2014 by which the petitioner's application for stay of execution of decree for payment of arrears of rent has been rejected.
2. Learned counsel for the petitioner submits that trial Court directed payment of arrears of rent without proper fixation of reasonable rent. He submits that the petitioner has also applied for fixation of reasonable rent before the Rent Controlling Authority. After decree, substantial amount of Rs. 2,11,000/- out of Rs.4,77,225/- has been paid.
3. The petition is directed against order dated 24.9.2014 by which stay application against execution of decree for arrears of rent has been rejected. Learned appellate Court has considered in great detail the merits of the application for stay of execution and rejected the same considering it to be a case of money decree. In that view of the matter, no jurisdictional illegality is found in the impugned order.
4. The petition deserves to be dismissed and is accordingly dismissed. However, the appellate Court is directed to expedite the hearing of appeal.

Sd/-
(Manindra Mohan Shrivastava)
Judge