

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Appeal No.76 of 2015**

1. Babu Ram S/O Budhu Ram Satnami Aged About 60 Years R/O Village Pasid Patwari Halka No. 17, Revenue Circle Nipaniya, Police Station City Kotwali, Baloda Bazar Tahsil Bhatapara, Revenue And Civil District Baloda Bazar Chhattisgarh

---- Appellant

Versus

1. Bhulin Bai D/O Budhu Ram Satnami Aged About 60 Years R/O Village Pasid Patwari Halka No. 17, Revenue Circle Nipaniya, Police Station City Kotwali, Baloda Bazar Tahsil Bhatapara, Revenue And Civil District Baloda Bazar Chhattisgarh
2. State Of Chhattisgarh Through- Collector, Baloda Bazar, District Baloda Bazar Chhattisgarh

---- Respondents

For Appellant : Shri P.K. Patel, Advocate
 For State/Respondent 2 : Ms. Pushpa Dwivedi, Panel Lawyer on advance copy

HON'BLE SHRI JUSTICE CHANDRA BHUSHAN BAJPAI**ORDER****21/08/2015**

1. For the purposes of admission as the instant appeal preferred within its limitation, the impugned order passed by the Additional District Judge, Bhatapara in Civil Appeal No. 18A/2012 on 4.7.2015 perused.
2. Vide paragraph 14 of the impugned order, the learned appellate court had ordered for drawing of the preliminary decree under Order 20 Rule 18 read with Section 151 C.P.C. before

7.8.2015 and further directed to return the original record to the appellate court for disposal of the First Appeal on its merits.

3. On perusal it is clear that 7.8.2015 has passed and there is no cause of action exists after 7.8.2015 to hear the instant Misc. Appeal on its merits.

4. Consequently, as no cause of action exists as on today, the instant Misc. Appeal is dismissed at the motion stage itself without any appreciation on merits.

5. The Misc. Appeal is dismissed.

6. No order as to cost.

Sd/

(Chandra Bhushan Bajpai)

JUDGE