

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 183 of 2015

1. Sonbati Aged About 63 years , Daughter of Laluram
2. Biswanta Aged About 73 years Son of Shri Laluram

Both are Resident Of Village- Umaria, Tahsil- Aarang, Distt. Raipur (C.G.)

---- Petitioners

Versus

1. Tehulal Bande Aged About 70 years, Son of Shri Laluram Bande Resident Of Village- Umariya, Tah- Aarang, Distt. Raipur (C.G.)
2. Sukhwanteen Bai, Aged About 65 year, Daughter of Shri Laluram Bande Resident Of Village- Umaria, Tah - Aarang, Distt. Raipur (C.G.)
3. State Of Chhattisgarh, Through The District Collector, Raipur (C.G.)

---- Respondents

For Petitioners	: Shri M.K. Bhaduri, Advocate
For Respondent No.3/State	: Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

13/03/2015

1. The trial Court has dismissed petitioners' application under Order 6 Rule 17 of Code of Civil Procedure (for short, 'CPC'). Perusal of the impugned order would indicate that the suit was earlier decided and is now tried on remand made by the first Appellate Court, after allowing an application under Order 41 Rule 27 of CPC.
2. In view of proviso to Order 6 Rule 17 of CPC the subject amendment has rightly been rejected by the trial Court.
3. Accordingly, writ petition is dismissed.

JUDGE