

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 749 of 2014

- Amit Yadav, aged about 30 years, S/O Shri Bodhram Yadav, R/o Vill. Devari, Post Dongergaon, Tah. - Dongergaon, Civil & Revenue Distt Rajnandgaon, (C.G.)

At Present R/O Bazar Chowk, Dongergaon, Tah. - Dongergaon, Civil & Revenue District Rajnandgaon (C.G.)

---- Petitioner

Versus

1. Chief Municipal Officer, Nagar Panchayat - Dongergaon, Tah. Dongergaon, Civil & Revenue District Rajnandgaon (CG)
2. Sajid Khan aged about 35 years, S/O Shri Ayyub Khan, R/O Killapara Dongergaon, Tah. Dongergaon, Civil and Revenue Distt Rajnandgaon, (CG)

---- Respondents

For Petitioner : Shri Rakesh Thakur, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/03/2015

1. Petitioner/plaintiff is aggrieved by order passed by the trial Court refusing to entertain the list of witnesses and issue summons to the said witnesses.
2. Admittedly the petitioner has not filed list of witnesses within 15 days from the date when issues were settled. Initially he moved an application for summoning the witnesses and the said application was dismissed by the trial Court on 01/02/2011. The present application has been moved on 26/07/2014 for similar relief which was earlier rejected by the Court. There is no material in the record as to what happened in the suit during the period between February 2011 to July 2014. It appears, during of this period, the plaintiff failed to produce his evidence. Effort by the plaintiff to summon the witness does not appear to be bonafide otherwise plaintiff would have moved the application immediately after February

2011 when the earlier application was dismissed or he would have moved this Court against rejection of the application.

3. No case for entertaining this writ petition is made out. It is accordingly dismissed.

JUDGE

Kamde