

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Appeal No. 4 of 2016

Bhilai Education Trust Through Surendra Gupta, S/o Late B. M. Gupta, Aged About 60 Years, The Secretary And Trustee, Bhilai Education Trust, Hospital Sector, Bhilai, Tehsil Durg, Civil And Revenue District Durg (Chhattisgarh)

---- Appellant/ Plaintiff

Versus

1. Bhilai Steel Plant Ispat Bhawan, Bhilai Steel Plant, Through Chief Executive Officer, Bhilai Steel Plant, Tehsil And District Durg (Chhattisgarh)
2. The Assistant General Manager T. D. S. Land, Bhilai Steel Plant, T. A. Building, Civic Center Bhilai, Tehsil And District Durg (Chhattisgarh)
3. Steel Authority Of India Limited Through Chairman, Steel Authority Of India Limited, Ispat Bhawan, Lodhi Road, New Delhi – 110001.

---- Respondents/ Defendants

For the Appellant	:	Shri Dharmesh Shrivastava, Advocate.
For the Respondents	:	Dr. Sourabh Pandey, Advocate.

Hon'ble Shri Justice Pritinker Diwaker

Order on Board

28/07/2016

1. With the consent of the parties, the appeal is heard finally.
2. Challenge in the present appeal is to the order dated 16.12.2015 passed by the Sixth Additional District Judge, Durg, District Durg, Chhattisgarh in Civil Suit No. 101-A of 2015 rejecting the application filed by the Appellant/Plaintiff under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908.
3. Learned counsel for the Appellant/ Plaintiff submits that purpose of filing this appeal would be served if a direction is issued to the trial Court to decide the suit itself expeditiously and till disposal of the suit, the interim order passed by this Court be directed to remain in operation.

4. Learned counsel appearing for the Respondents has no objection to the above proposition put-forth by counsel for the Appellant. He, however, submits that the time schedule may be fixed for deciding the suit, and in the meanwhile, the Appellant may also be directed to pay electricity bill regularly.

5. Considering facts and circumstances of the case, the present appeal is disposed of with a direction to the trial Court to decide the suit as expeditiously as possible preferably within eight months from the next date of hearing. The interim order granted by this Court dated 4.3.2016 shall continue till the disposal of the suit.

6. As informed at the Bar by counsel for the Appellant that the Electricity Bill is being paid regularly, there is no need to pass any order in this regard.

Sd/-
(Pritinker Diwaker)
Judge