

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MA No. 96 of 2014**

- Smt. Urmila Bai D/o Shri Puranik Baghel, W/o Shri Dashrath Ram Satnami, aged about 45 years, R/o Village Gondpendri, House No. 5/k, Bastipara Gondpendri, P.S. Utai, Tahsil- Patan, District Durg, Chhattisgarh

---- Appellant**Versus**

1. Deleted
2. Smt. Indu Bai W/o Shri Pairdas Satnami, Aged About 47 Years R/o Village Sirri (Shop Of Manoj Bandhe), P.S. Utai, P.O. Machandur, Tahsil Gunderdehi, District- Balod, Chhattisgarh
3. Rajbahadur Mourya S/o Shri Bholanath Mourya, Aged About 38 Years R/o Village Kumhar Para, Sanjay Nagar, Supela, Bhilai, Tahsil And District- Durg, Chhattisgarh
4. State Of Chhattisgarh, Through Collector, Durg, Chhattisgarh

---- Respondents

For Appellant.	:	Shri T.K. Jha, Advocate.
For Respondents 2 & 3.	:	Shri B.P. Singh, Advocate.
For Respondent No.4.	:	Shri Prasun Bhaduri, G.A.

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****23/06/2016**

With the consent of the parties, the matter is heard finally.

Challenge in the present appeal is to the order dated 27.09.2014 passed by the 3rd Additional District Judge, Durg in Civil Suit No.44-A/2014 whereby application as filed by the plaintiff under Order 39 Rules 1 and 2 of CPC was dismissed.

2. Counsel for respondents 2 and 3 submits that there is no stay in favour of the appellant but the Court below is not proceeding with the case on the pretext of pendency of the present appeal.

3. Counsel for the appellant submits that she is in possession of the suit land, whereas according to counsel for respondents 2 and 3, they are in physical possession of the land in question.

4. Both the counsel have no objection if the direction is issued for maintaining the *status quo* in respect of the land in question as it exists today and for early disposal of the suit. They further submit that the case is at the evidence stage.

5. Considering the submission made by the parties, the present appeal is disposed of directing the Court below to decide the suit as expeditiously as possible, preferably within six months from the next date of hearing.

6. It is expected from the parties to cooperate in early disposal of the suit and not to seek unnecessary adjournment. Till the disposal of the suit, *status quo* in respect of the suit land as it exists today shall be maintained by the parties.

Sd/-

(Pritinker Diwaker)
Judge