

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Second Appeal No.346 of 2015**

Sushila Bai, aged about 48 Years, wife of Kartik Ram, Caste Rohidas, residence of Rohidas Chowk Janjgir Tahsil Janjgir, District Janjgir Champa Chhattisgarh Civil And Revenue District Janjgir Champa Chhattisgarh

---- Appellant

Versus

1. Bajrang Lal (Died) Through Lrs.
 - (A) Shanti Devi Agrawal Daughter of Bajrang Lal Agrawal Wife of Jagdish Prasad Agrawal, residence Janjgir Champa
2. Govind aged about 65 years, son of Banshidhar (Died)
 - (A) Pawan Kumar Agrawal, aged about 32 years, son of Late Govind Agrawal (Son).
 - (B) Mukesh Kumar Agrawal, aged about 28 years, son of Late Govind Agrawal (Son)
 - (C) Vinod Kumar Agrawal, aged about 28 years, son of Late Govind Agrawal (son)
 - (D) Kiran Agrawal Aged About 37 Years, wife of Chiranjeev Agrawal, residence of Salka Adhina District Sarguja Chhattisgarh (daughter)
 - (E) Meena Agrawal, aged about 34 yeafrs, wife of Ganesh Agrawal, residence of Salka Adhina District Sarguja Chhattisgarh (daughter)
 - (F) Ranjana Agrawal, aged about 31 years, wife of Surendra Kumar Mittal, residence of Budhwari Bazar, Surajpur, District Sarguja Now Surajpur Chhattisgarh (daughter)
3. Natthu S/O Kedarnath Aged About 59 Years
4. Omprakash S/O Jagannath Prasad Aged About 48 Years
5. Rajesh S/O Satyanarayan Aged About 24 Years
6. Kapurchand S/O Gopiram Aged About 41 Years
7. Santosh Kumar S/O Gopiram Aged About 42 Years
8. Jaidev, son of Barjoo (Died)
 - (A) Urmila Wife of Chedilal (daughter)
 - (B) Kanti Bai Wife of Parmanand (daughter)

(C) Rekha Wife of Kolomani (daughter)

(D) Sahodra wife Basudev (Daughter)

All Residence of Badipali P.S. and Tahsil Bijapur, District Bargarh Odisha (Daughter)

(E) Meera Bai Wife of Ashok Sonwani (Daughter)

(F) Mahabeer Rohidas Daughter of Jaidev (Son) R/O Janjgir Tah. Janjgir Distt. Janjgir Champa C.G.

9. State of Chhattisgarh Through District Magistrate Janjgir, District Janjgir-Champa, Chhattisgarh

---- Respondents

For Appellant	: Mr.C.J.K.Rao, Advocate
For Res.No.3 & 7	: Mr.Ankul Biswas, Advocate
For Res.No.9	: Mr.Sameer Behar, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

27/07/2016

1. The plaintiff's suit for declaration of title and permanent injunction was dismissed by the trial Court holding that in earlier proceeding title of defendants No.1 to 7 has already been adjudicated and confirmed up to the High Court of Madhya Pradesh. That finding was affirmed by the First Appellate Court. Against which, this second appeal has been preferred.

2. Learned counsel for the appellant would submit that concurrent finding of the Courts below give rise to substantial question of law as the findings are perverse.

3. After hearing learned counsel appearing for the appellant and after going through the records of the Courts below, I do not

find any perversity in the findings which are based on record as two Courts below have already held that defendants No.1 to 7 are title holder of the suit land.

4. I do not find any substantial question of law to be formulated for decision of this appeal. Consequently, the second appeal is dismissed at the stage of admission itself. No cost(s).

Sd/-

(Sanjay K Agrawal)
Judge

B/-