

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 434 of 2015**

1. Gaya Prasad S/o Late Shri Ramdulare Aged About 55 Years
2. Jagdish Prasad S/o Late Shri Ramdulare Aged About 53 Years

Both R/o Village Jharakhand, Tehsil Pendra Road, District Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. Smt. Chandrawati Gautom W/o Ramkumar Gautom Aged About 63 Years
Resident Of Village Jharakhand, Tehsil Pendra Road, District Bilaspur,
Chhattisgarh, At Present Resident Of Mangali Bazar, Gorella (Pendraroadd)
Tehsil Pendraroad, District Bilaspur, Chhattisgarh
2. Santosh Kumar S/o Shri Gaya Prasad Aged About 32 Years
3. Gudda S/o Shri Gaya Prasad Aged About 30 Years
4. Rajju S/o Shri Gaya Prasad Aged About 28 Years
5. Mukesh Kumar S/o Shri Jagdish Prasad Aged About 30 Years
6. Virendra Kumar S/o Shri Jagdish Prasad Aged About 22 Years
7. Gokul Prasad S/o Bhagwat Prasad

Respondent No. 2 to 7 are Caste Brahman, Resident Of Village Jharakhand, Tehsil
Pendraroadd, District Bilaspur, Chhattisgarh

8. The State Of Chhattisgarh, Through: District Collector Bilaspur, District
Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	: Mr. Ashok Soni, Advocate.
For Respondents No. 2 to 6	: None though served.
For Respondent No. 7	: None though represented.

Order on Board**04/02/2016**

1. At the outset learned counsel for the petitioners prays that he be permitted to withdraw the instant writ petition with liberty to file an application under the relevant limitation laws as also under Order 8 Rule 1 of the C.P.C. in support of the counter claim, if any, already filed before the trial Court and the trial Court after hearing afresh, shall dispose of the same without being influenced by the order dated 12-3-2015.

2. On due consideration, the instant writ petition is disposed of as withdrawn reserving the aforesaid liberty that the petitioners are permitted to file an application to condone the delay in support of the counter claim already filed, if any, under the relevant provisions of Order 8 Rule 1 of the

C.P.C. and also under the Limitation Act, before the trial Court and the trial Court after hearing both the parties as per law shall decide the same without being influenced by the impugned order dated 12-3-15 and to decide the said issue afresh.

3. In view of above, interim order granted on 1-9-2015 by this court stands vacated.

4. No order as to costs.

Sd/-
(Chandra Bhushan Bajpai)
Judge