

HIGH COURT OF CHHATTISGARH, BILASPUR

SA No. 180 of 2012

- Ajay Kumar S/o Shri Bhismddev Agharia, Aged about 33 years, R/o Village Dhansir P.C. No. 8, R.I. Circle & Tahsil-Bhilaigarh, District Raipur (C.G.) (Plaintiff)

---- Appellant

Versus

1. Bhogiram, S/o Usatram Agharia, Aged about 63 years;
2. Jagatram S/o Usatram Agharia, Aged about 48 years;
Both are R/o Village Dyalpur, Tahsil Bhilaigarh, District-Raipur (C.G.)
3. State of Chhattisgarh, Through Collector, Raipur, District Raipur (C.G.) (Defendants)

---- Respondents

For Appellant	:	Shri Kishore Bhaduri, Advocate
For Respondents No.1 & 2	:	Shri C.K. Sahu, Advocate
For State/Respondent No.3	:	Shri Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

20/07/2016

Heard.

2. The plaintiffs' suit for declaration of sale deed dated 24-11-1997 is null and void which was dismissed by the trial court holding that the suit was barred by limitation against which the plaintiff has preferred First Appeal and the First Appellate Court affirming the judgement of the trial Court also dismissed the first appeal, against which this second appeal has been preferred.

3. Learned counsel for the appellant/plaintiff would submit that concurrent findings recorded by two Courts below are perverse and gives rise to substantial question of law.

4. After hearing learned counsel for the parties and going through the record, I find that concurrent findings recorded by two Courts below are based on evidence available on record and there is no illegality and perversity in the judgement and decree dated 31-03-2012, as such no substantial question of law arises for determination of this appeal. Accordingly, the appeal deserves to be and is hereby dismissed. No cost(s).

Sd/-

(Sanjay K. Agrawal)

JUDGE