

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 531 of 2016**

- Aasmati W/o Lt. Devdas Aged About 40 Years Cast Bhatra, R/o Village Koliyapara, Kalcha, Post Kalcha, Civil And Revenue District Bastar Chhattisgarh

---- Petitioner**Versus**

1. Kamlochan S/o Sukru Bhatra, Aged About 40 Years R/o Village Koliyapara Kalcha, Post Kalcha, Civil And Revenue Distirct Bastar Chhattisgarh
2. Sarpanch, Grampanchayat Kalcha,post Kalcha Tah Jagdalpur, Civil And Revenue District Bastar Chhattisgarh
3. Assistant Engineer, Chhattisgrh State Electricity Board Rural Aria District Bastar Chhattisgarh
4. State Of Chhattisgarh Through Collector, Bastar Jagdalpur Chhattisgarh
5. Chairmen, Chhattisgarh Electricity Board Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Rakesh Thakur, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****06/09/2016**

1. Petitioner is aggrieved by the dismissal of his application under Section 151 CPC by which the trial Court has refused to allow payment of the interest earned on the amount of compensation awarded by the trial Court while passing the decree in favour of the petitioner/plaintiff.
2. Once the decree is passed, neither the executing Court nor this Court under Article 227 of the Constitution of India is entitled to issue any direction contrary to the terms of decree.

3. At this stage, learned counsel for the petitioner would inform that the respondents/defendants have preferred an appeal under Section 96 CPC bearing First Appeal No.152/15, which is pending consideration before this Court.
4. In view of the above, the writ petition is dismissed with liberty to the petitioner to move appropriate application in the pending first appeal, if permissible in law.

Sd/-

Judge
Prashant Kumar Mishra

Ashu