

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 1076 of 2015

1. Komal Singh Sahu S/o Noharlal Sahu, aged about 40 years, R/o Village Hasda No. 1, Tehsil Magarlod, District Dhamtari, Chhattisgarh
(Plaintiff)

---- Petitioner

Versus

1. The State of Chhattisgarh (wrongly mentioned as State of Chhattisgarh Raipur), Through : Collector, Dhamtari, District Dhamtari, Chhattisgarh(Defendant)
2. Tahsildar, Magarlod, Tehsil Magarlod, District Dhamtari, Chhattisgarh (Defendant)

---- Respondents

For Petitioner – Mr. P.P.Sahu, Advocate.

For Respondents – Ms. M.Asha, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

11/04/2016

1. At the outset, learned counsel for the petitioner submits that looking to the appreciation of the trial Court regarding entire facts and pleadings prayed for incorporation in the said Civil Suit No.04A/15, the petitioner prayed that he be given liberty to file afresh an interim application under Order 1 Rule 10(2) and another under Order 6 Rule 17 of the Code of Civil Procedure, 1908 (in short 'the Code') before the trial Court containing all the facts essential elaborately so as to dispose of the same on its merit and while deciding both the interim applications afresh order dated 05-10-2015 shall not come in the way. The matter may be disposed of accordingly.

2. On due consideration, the instant WP(227) is disposed of without any appreciation on its merit reserving the aforesaid liberty. Further, it is needless to mention that the petitioner may file aforementioned interim applications afresh mentioning the entire facts and pleadings elaborately and the Court below after awarding opportunity shall dispose the matter without being influenced with the order dated 05-10-2015 afresh.

3. The petition disposed of accordingly.
4. No order as to cost.
5. The petitioner may file copy of this order before the Court below for future compliance.
6. Registrar (Judicial) is also directed to send copy of the order to the Court below for further compliance.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE