

HIGH COURT OF CHHATTISGARH, BILASPUR

Civil Revision No.130 of 2016

Smt. Neera Bai, W/o Manbodh Sinha, aged about 55 years, resident of Village Khartuli, Tahsil and District Dhamtari (CG).

---- Applicant

Versus

1. Daulal, S/o Shri Dhansingh Sinha, aged about 42 years.
2. Nandkumar, S/o Dhansingh Sinha, aged about 40 years.
3. Dhansingh, S/o late Heeraram Singh, aged about 70 years.

Respondents No.1 to 3 are resident of Village Khartuli, Tahsil and District Dhamtari.

4. Suresh Kumar, aged about 36 years, S/o Manbodh Singha.
5. Kailash Kumar, S/o Manbodh Sinha, aged about 34 years.

Respondents No.4 & 5 are resident of village Khartuli, Tahsil and District Dhamtari (CG).

6. State of Chhattisgarh, through Collector, Dhamtari, District Dhamtari (CG).

----Non-applicants

For Applicants : Shri V.K. Pandey, Advocate
For Non-applicant No.6/State: Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/09/2016

(1) The trial Court, by its impugned order dated 09.08.2016 passed in Civil Suit No.16-A/2013 has rejected the application under Order 7 Rule 11 of Code of Civil Procedure filed by the applicant/defendant No.3 holding that the said application has no

merit, against which, this civil revision has been filed by the applicant/defendant No.3.

(2) After hearing learned counsel appearing for the parties at some length, I am not inclined to entertain this revision as the trial Court has rightly held that the civil court has jurisdiction to entertain the civil suit for declaration of title, permanent injunction and recovery of possession over the suit property and has not found the suit to be under-valued. I do not find any perversity or illegality in the order impugned warranting interference by this Court under its revisional jurisdiction.

(3) Accordingly, the civil revision fails and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-