

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 679 of 2016

Kartikeya Jaiswal, S/o. Late Surendra Dev Jaiswal, Aged About 58 Years, R/o. Police Line Road, Ambikapur, P.S. & P.O. Ambikapur, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Collector Surguja, Ambikapur, P.S. & P.O. Ambikapur, District Surguja, Chhattisgarh
2. Municipal Corporation, Ambikapur, Through Commissioner, Near Water Tank Kedarpur, Ambikapur, P.S. & P.O. Ambikapur, District Surguja, Chhattisgarh
3. Public Welfare Department (P.W.D.) Through Executive Engineer, Division, Ambikapur, P.S. & P.O. Ambikapur, District Surguja, Chhattisgarh.

---- Respondents

For Petitioner	:	Ms. Priyanka Mehta, Advocate
For Respondent 1 & 3	:	Mr. Sangharsh Pandey, Dy. Govt. Advocate
For Respondent No.2	:	Ms. Sonia Kuldeep, Advocate on behalf of Mr. Bhupendra Singh, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.11.2016

1. The petition is against the order dated 06.09.2016 whereby the application under Order 6 Rule 17 of C.P.C. has been rejected.
2. Learned counsel for the petitioner submits that initially on wrong facts the averments were made, which came to notice subsequently, therefore, the amendment application is moved to correct the same. It is further submitted that the case is already fixed for final hearing.

3. Considering the submission made and after going through the order, I do not find any jurisdictional error to have committed by the learned trial Court. Thus, this Court, in exercise of its power under Article 226 & 227 of the Constitution of India, is not inclined to interfere with the impugned order, which is legal, just and proper. However, the petitioner shall be at liberty to raise all the grounds, if so advised, in case the appeal is preferred.
4. With such observation, the petition stands disposed off.

Ashok

Sd/-
(Goutam Bhaduri)
Judge