

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 39 of 2016

- Hariom S/o Patramdas Agrawal, Aged About 60 Years R/o Naila, Tah. Janjgir, District Janjgir-Champa, Chhattisgarh (Claimant)

---- Petitioner

Versus

1. State Of Chhattisgarh Through: The Collector, Janjgir, District- Janjgir-Champa, Chhattisgarh
2. Land Acquisition Officer, Janjgir, District- Janjgir-Champa, Through: Sub Divisional Officer (Revenue), District- Janjgir-Champa, Chhattisgarh
3. Executive Engineer (Civil), Construction Division-2, 2x500 M.Watt, Madwa, Tendubhata Taap Vidyut Pariyojna, Janjgir-Champa, Chhattisgarh

---- Respondent

And

FAM No. 40 OF 2016

- Radhe Lal Rathore S/o Lal Ji Rathore, Aged About 50 Years R/o Village- Kanhaiband, Tah. Janjgir, District Janjgir-Champa, Chhattisgarh(Claimant)

---- Petitioner

Vs

1. State Of Chhattisgarh , Through: The Collector, Janjgir, District- Janjgir-Champa, Chhattisgarh
2. Land Acquisition Officer, Janjgir, District- Janjgir-Champa, Through: Sub Divisional Officer (Revenue), District- Janjgir-Champa, Chhattisgarh
3. Executive Engineer (Civil), Construction Division-2, 2x500 M.Watt, Madwa, Tendubhata Taap Vidyut Pariyojna, Janjgir-Champa, Chhattisgarh

---- Respondent

And

FAM No. 41 OF 2016

1. Ramnarayan S/o Maniram Rathore, Aged About 53 Years
2. Shri Bai D/o Maniram Rathore, Aged About 60 Years
3. Shail Kumar D/o Maniram Rathore, Aged About 57 Years

All R/o Janjgir (Below Champa Road Cenal, Besides Dr. Prasad, Ward No.8), Tah. Janjgir, District Janjgir-Champa, Chhattisgarh(Claimants)

---- Petitioner

Vs

1. State Of Chhattisgarh , Through: The Collector, Janjgir, District- Janjgir-Champa, Chhattisgarh
2. Land Acquisition Officer, Janjgir, District- Janjgir-Champa, Through: Sub Divisional Officer (Revenue), District- Janjgir-Champa, Chhattisgarh
3. Executive Engineer (Civil), Construction Division-2, 2x500 M.Watt, Madwa, Tendubhata Taap Vidyut Pariyojna, Janjgir-Champa, Chhattisgarh

---- Respondent

For Petitioners	Mr. Shrawan Agarwal, Advocate
For Respondent /State	Mr. Vivek Sharma, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

29/7/2016

1. Learned counsel for the appellants would submit that in view of the office objections regarding non payment of adequate court fees, he has no other option except to challenge the constitutional validity of Section 8 of the Court Fees Act, 1870 (in short "the Act"), under which, the appellants have been made liable to pay court fees and the objection to the said effect has been held by the Division Bench to be in accordance with law

vide order dated 09.05.2016.

2. In view of the above, learned counsel for the appellants, would submit that the appellants may be permitted to withdraw the appeals as the appellants intend to challenge the *vires* of Section 8 of the Act.
3. In view of the submission made, the appellants are permitted to withdraw these appeals.
4. Accordingly, all the three first appeals are dismissed, as withdrawn

Sd/-

Judge
(Prashant Kumar Mishra)

Sd/-

Judge
(Chandra Bhushan Bajpai)

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