

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCivil Revision No.46 of 2016

Nagar Panchayat Geedam, through its Chief Municipal Officer namely I.S. Patel, S/o Ayodhya Prasad Patel, aged about 50 years, R/o Geedam, Police Station & Post Geedam, Tahsil Geedam, Civil and Revenue District Dantewada (C.G.)

(Defendant No.1)

---- Applicant

Versus

1. Kaushal Kishor Avasthi, S/o Shri Jagdish Prasad Avasthi, aged about 58 years, R/o Geedam, Police Station & Post Geedam, Tahsil Geedam, Civil and Revenue District Dantewada (C.G.)

(Plaintiff)

2. The Tahsildar, Geedam, Police Station & Post Geedam, Tahsil Geedam, Civil and Revenue District Dantewada (C.G.)

(Defendant No. 2)

3. Sub-Divisional Officer (Revenue), Geedam, Civil and Revenue District Dantewada (C.G.)

(Defendant No. 3)

4. State of Chhattisgarh, through Collector, Dantewada, District South Bastar, Dantewada (C.G.)

(Defendant No. 4)

---- Non-applicants

For Applicant: Mr. Manoj Paranjpe, Advocate.
For State/respondent No.4: Mr. Sameer Behar, PL.

Hon'ble Shri Justice Sanjay K. AgrawalOrder On Board15/06/2016

1. Nagar Panchayat, Geedam filed an application under

Order 7 Rule 11 of the CPC stating inter alia that the plaint does disclose triable cause of action and Sanjay Patel is necessary party which has been turned down by the trial Court.

2. After hearing learned counsel for the applicant, I am of the opinion that defendant No.1 be allowed to raise objection in its written statement and on plea being raised in written statement, the trial Court would do well to proceed in accordance with law and without prejudiced by any of the observations made in the order.
3. With the aforesaid observation, the civil revision stands disposed of. No order as to costs.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma