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HIGH COURT OF CHHATTISGARH, BILASPUR**Civil Revision No. 94 of 2016**

1. Ajay Sahu, son of late Bisahat Sahu, aged about 32 years,
2. Chhedilal Sahu, son of late Bisahat Sahu, aged about 30 years,
3. Smt. Rambai, aged about 65 years, wife of late Bisahat,

No. 1 to 3 are resident of near Shiv Mandir, Daganiya, Raipur, Tahsil & District – Raipur (C.G.)

4. Smt. Meera Bai, aged about 38 years, daughter of Bisahatar Sahu, wife of Mannuram Sahu, resident of Amlidih, Raipur, Tahsil & District – Raipur (C.G.)
5. Smt. Rani Sahu, aged about 32 years, daughter of late Bisahatar Sahu, wife of Sanjay Sahu, resident of Khamtarai, Raipur, Tahsil & District – Raipur (C.G.)

---- Applicants

Versus

1. Suryakant Tiwari, aged about 56 years, son of D.R. Tiwari, resident of near Sai Mandir, Sundernagar, Raipur, Tahsil & District – Raipur (C.G.)
2. Mukund Sahu, son of late Bisahat Sahu, aged about 35 years, resident of near Shiv Mandir, Daganiya, Raipur, Tahsil & District -Raipur (C.G.)
3. State of Chhattisgarh, through the Collector, Raipur, Tahsil & District Raipur (C.G.)

---- Respondents

For Applicant : Mr. K.K. Pandey, Advocate.
 For Respondent No.3/State : Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/08/2016**

- (1) In a suit for specific performance of the contract filed by the

plaintiff/non-applicant No.1 herein, applicants/defendants filed an application under Order 7 Rule 11 of the CPC stating that suit is barred under Order 7 Rule 11 (d) of the CPC and, therefore, the plaint be rejected.

(2) By the impugned order, the trial Court has rejected the application finding no merit, against which, instant civil revision has been filed.

(3) After hearing learned counsel for the applicant, I do not find any illegality in the order impugned warranting interference by this Court under its revisional jurisdiction.

(4) Accordingly, the civil revision fails and is hereby dismissed. However, the defendants are free to raise all the plea in the written statement before the trial Court in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-