

HIGH COURT OF CHHATTISGARH, BILASPUR

MA No. 43 of 2015

1. Smt. Madhuri Singh W/o Jagdish Singh Aged About 37 Years R/o Qr. No. Ch-16 Shahid Bhagat Singh Colony, P.S. Manikpur, Tah. And Distt. Korba (Chhattisgarh)

---- Appellant (Defendant No.3)

Versus

1. South Eastern Coalfields Limited & others, Through- General Manager, S.E.C.L. Korba, Distt. Korba (Chhattisgarh) (Plaintiff)
2. Hareshwari Kumari D/o Dikpal Singh aged about 58 years. (Def. No.1)
3. Deep Malika D/o Dikpal Singh aged about 58 years. (Def. No.2)

R/o Village- Pondilafa, Tah. Pali, Distt. Korba (Chhattisgarh)
4. State Of Chhattisgarh Through- The Distt. Collector, Korba, Tah. And Distt. Korba (Chhattisgarh) (Def. No.4)

---- Respondents

For Appellant:	Shri Ashutosh Shukla, Advocate.
For Respondent No.1:	Shri Vinod Deshmukh, Advocate.
For Respondent No.2 & 3:	Shri Vivek Agrawal, Advocate.
For Respondent No.4:	Shri Shashank Thakur, Govt. Advocate

Hon'ble Shri Justice Pritinker Diwaker

Order On Board

23/06/2016

1. Challenge in this appeal is to the order dated 4.7.2014 passed by the 2nd Additional District Judge, Korba in Civil Suit No.17A/2014 allowing the application filed by the plaintiff/respondent No.1 under Order 39 Rule 1 & 2 CPC, thereby restraining defendant No.3 from raising any construction over the suit land.
2. Counsel for the appellant submits that purpose of filing this appeal would be served if a direction is issued to the Court below for early disposal of the suit.
3. Counsel appearing for the respondents have no objection to this

proposition. Counsel appearing for respondent No.1, however, submits that the order impugned may not be interfered with till disposal of the original suit.

4. Considering the facts and circumstances of the case, the present appeal is disposed of directing the Court below to decide the suit itself as expeditiously as possible, preferable within six months from the next date of hearing. It is expected from the parties to cooperate in early disposal of the suit.
5. Record of the Court below be sent back forthwith.

Sd/-
(Pritinker Diwaker)
Judge

roshan