

HIGH COURT OF CHHATTISGARH, BILASPUR

CR No. 53 of 2016

1. Balram Prasad Gupta S/o Late Bhuwan Lal Gupta, Aged about 75 Years,
2. Saraswati Bai W/o Balram Prasad Gupta, Aged about 70 Years,
Both R/o Village- Guma, Tehsil- Bilha, District- Bilaspur (Chhattisgarh)

---- Applicants

Versus

- Badan Bai D/o Sadhu Ram Manikpuri, Aged about 64 Years, R/o Village- Guma, Tehsil- Bilha, District- Bilaspur (Chhattisgarh)

---- Non-applicant

For Applicants : Shri Vishnu Koshta, Advocate
For Non-applicant : Shri Vikram Singh, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/09/2016

1. Heard on application for condonation of delay in filing the revision.
2. On due consideration, the above application is allowed and the delay in filing the revision is hereby condoned.
3. Heard on admission.
4. The trial Court as well as the appellate Court have held that non-applicant Badan Bai has not violated the decree granted by the trial Court. The concurrent findings recorded by two Courts below is a finding of fact and no interference is warranted in exercise of jurisdiction under Section 115 of the CPC.

5. Shri Vishnu Koshta, learned counsel for the applicant would submit that non-applicant Badan Bai has entered into the suit property in violation of decree of the trial Court.

3. It is needless to say that the applicant/decreed holder is at liberty to proceed in accordance with law for execution of the decree.

4. With the aforesaid observation, the present revision stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)

JUDGE