

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MA No. 114 of 2016**

Tejram Dansena S/o Late Mukutram, Aged About 59 Years Occupation:
Agriculturist, R/o Village Kalmi, Tahsil And District Raigarh,
Chhattisgarh(Plaintiff)

---- Appellant**Versus**

1. Hanuman Prasad Agrawal S/o Late Gopiram, Aged About 54 Years Occupation: Business, R/o Thana Road, Near Handi Chowk, Raigarh, Tahsil And District Raigarh, Chhattisgarh(Defendant No.1)
2. Smt. Anita Agrawal W/o Hanuman Prasad Agrawal, Aged About 49 Years Occupation Housewife, R/o Thana Road, Near Handi Chowk, Raigarh, Tahsil And District Raigarh, CG(Defendant No.2)
3. State Of Chhattisgarh, Through: The Collector, Collector Office, Chakradhar Nagar, Raigarh, District Raigarh, CG(Defendant No.3)

---- Respondents

For appellant	: Mr. P.K. Patel, Adv.
For Respondent No. 3/State	: Mr. Satish Gupta, GA on advance notice.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****06/12/2016**

1. At the outset, learned counsel for the appellant submits that he be permitted to withdraw the instant MA with liberty to raise the issues and objections before the concerned revenue court where the proceedings of mutation are going on and further that creation of any third party interest during the pendency of said civil suit No. 3-A/2013 shall be subject to the provisions of section 52 of the Transfer of Properties Act, 1882.
2. As prayed, instant MA is disposed of as withdrawn without any appreciation on merit reserving aforesaid liberty available under the law and also with the observation that any third party interest created over the suit land during the pendency of the said Civil Suit No. 3-A/2013 shall be covered under Section 52 of the Transfer of Properties Act, 1882.
3. MA is disposed of. No order as to costs.

Sd/-
(Chandra Bhushan Bajpai)
Judge