

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.209 of 2017**

Tijan Bai Satnami, daughter of Bharosha Satnami, wife of Punitram, aged about 55 years, resident of village Dhamni, Tahsil Arang, District Raipur (CG)

---- Petitioner

Versus

1. Santoshi Satnami, daughter of late Shri Man Singh Satnami, wife of Bachchu Satnami, aged about 31 years, resident of village Darripar, Tahsil Rajim, District Gariyaband (CG)
2. Minor Sanjivani, aged about 13 years, daughter of late Shri Man Singh through grand father Bharosha Satnami, resident of village Amethi, Tahsil Arang, District Raipur (CG)
3. Smt.Bhagbai wife of late Mansingh Satnami, aged about 37 years, resident of Near Railway Crossing Telibandha, Raipur, District Raipur (CG)
4. Smt.Motim Bai, Wd/o. Late Man Singh Satnami, resident of Village Amethi, Tahsil Arang, District Raipur (CG)
5. Bharosha, son of Dhanwa Satnami, aged about 70 years, resident of village Amethi, Tahsil Arang, District Raipur (CG)
6. State of Chhattisgarh, through the Collector, Raipur, District Raipur (CG)

---Respondents

For petitioner	:	Mr.A.D.Kuldeep, Advocate
For State	:	Mr.Majid Ali, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/04/2017

Heard.

1. The petitioner's/plaintiff application under Order 39 Rule 1 & 2 of the Code of Civil Procedure has been rejected by the trial Court by order dated 15.7.2016 and that has attained finality as it has not been challenged further. Thereafter, she has again moved an application under Section 151 of the CPC that she be allowed to harvest the crop which the trial Court has rejected by the impugned order, against which, this writ petition under Article 227 of the Constitution of India has been filed.
2. I have heard learned counsel for the parties.
3. The petitioner's substantive application under Order 39 Rule 1 & 2 of the CPC has been rejected by the trial Court which has not been challenged further and that has attained finality. The petitioner cannot be allowed to maintain 151 CPC application for the relief which has already been declined by the trial Court.
4. I do not find any jurisdictional error in the impugned order. The writ petition being devoid of merit is liable to be and is hereby dismissed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-