

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.228 of 2017**

1. Balram Prasad Mahto S/o Mallu Mahto Aged About 65 Years
Caste- Koir, Occupation Retired Peon, Block Pratappur, R/o
Village Khorma, Police Station And Tahsil- Pratappur, District-
Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. Ram Prasad S/o Karamdev Aged About 48 Years Caste Koir,
R/o Village Jarhi, Police Station Bhatgaon, Tahsil Pratappur,
District Surajpur, Chhattisgarh
2. The State Of Chhattisgarh Through: The Collector, Surajpur,
District- Surajpur, Chhattisgarh

---- Respondents

For Petitioner : Mr. Pushpendra Kumar Patel, Advocate
For State : Mr. Mazid Ali, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order On Board

25/04/2017

(1) The petitioner/plaintiff's application under Order 7 Rule 14 (1, 2 & 3) of CPC for accepting original documents have been rejected by the trial Court by its impugned order dated 14.02.2017 against which, this writ petition under Article 227 of the Constitution of India has been filed by the petitioner/plaintiff.

(2) Learned counsel appearing for the petitioner/plaintiff submits that the photocopies of original documents have already been filed at appropriate stage and now, original photocopies are sought to be produced which has been rejected by the trial Court, which is absolutely illegal.

(3) I have heard learned counsel for the parties and perused the impugned order.

(4) Since the photocopies of original documents have already been filed by the petitioner and only original documents are sought to be produced which ought to have been allowed by the trial court. The impugned order is set-aside. Documents are directed to be taken on record, subject to payment of cost of Rs.5,000/- to the defendant No.1 on the next date of hearing and the trial Court is directed to expedite the trial of the suit and conclude the same preferably within a period of six months from the date of receipt of copy of this order. The defendant No.1 is at liberty to make an application for modification of this order, if aggrieved.

(5) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-