

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (227) No.392 of 2017**

Milau Das Sahu S/o Late Jhumuk Das Sahu, aged about 70 years,
Occupation : Agriculturist, R/o Village : Tolagaon, Tahsil : Khairagarh,
District : Rajnandgaon (CG)

---- Petitioner

Versus

1. Shri Ghanram Sahu S/o Late Amol Das Sahu, aged about 69 ayers,
R/o Village: Singdai, Tahsil & District Rajnandgaon (CG)
2. Kashish Kumar S/o Shri Ghanaram Sahu, aged about 32 years, R/o
Village: Singdai, Tahsil & District Rajnandgaon (CG)
3. State of Chhattisgarh through Collector, Najul Branch, District Office
Rajnandgaon (CG)

---- Respondents

For Petitioner	:	Mr.Krishna Kumar Dixit, Advocate
For Respondent No.3	:	Mr.Majid Ali, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/7/2017

1. The petitioner preferred an application for impleadment before the learned District Judge, Rajnandgaon that he is owner of the property and his interest is prejudicially affected by the order. That application has been rejected by the learned District Judge by the impugned order.
2. After hearing learned counsel for the petitioner at length, Mr.Krishna Kumar Dixit, learned counsel appearing for the petitioner, would submit that the petitioner may be allowed to prefer an appeal against the judgment and decree dated 13.7.2015 passed by the Second Civil Judge Class-II, Rajnandgaon in Civil Suit No.59A/2011 with the leave of that Court.
3. Prayer appears to be fair and reasonable.
4. Accordingly, the petitioner is permitted to withdraw this writ petition

with liberty to move an application for leave to prefer an appeal before the Appellate Court against the judgment and decree dated 13.7.2015 passed by the Second Civil Judge Class-II, Rajnandgaon in Civil Suit No.59A/2011. If such an appeal along with an application for leave to appeal is filed, the Appellate Court would do well and decide that application and appeal in accordance with law along with Civil Appeal No.24A/2016 analogously.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-