

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Misc. Petition No.1096 of 2014**

Mangal Ram S/o Shri Chamra, aged about 68 years, R/o village Kodopara, Tehsil and PS Bagicha, District Jashpur (CG).

---- **Petitioner**

Versus

Aghnu Ram S/o Rudhu (Natural father)/Budhu (Adopted father), aged about 60 years, R/o village Kodopara, Tehsil and PS Bagicha, District Jashpur (CG).

---- **Respondent**

For Petitioner
For respondent

Shri Ashish Beck, Advocate.
Shri KN Nande, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16/02/2017

1. The present petition has been preferred assailing the order dated 17.10.2014 passed by the Additional Sessions Judge, Jashpur, in Criminal Revision No.13/2014 (Aghnu Ram Vs. Mangal Ram). By way of said order, the revisional court has set aside the order of SDM, Bagicha, passed in Misc. Criminal Case No.18/2008 in 145 CrPC proceeding.
2. At this juncture, learned counsel for the respondent apprise the court that pursuant to the impugned order that was passed by the Revisional Court more than 2 and ½ years ago, the order has been and stands fully honoured and the entire property now vests exclusively in possession of the respondent and the respondent is cultivating the land for more than two years now.

3. This aspect of the fact of the case has not been disputed by the counsel for the petitioner.
4. In view of the same, this court is of the opinion that nothing further remains to be adjudicated upon by this court in the present case at this juncture in a 145 CrPC proceeding. However, taking into consideration the claim put forth by the petitioner and also the dispute between the parties, it would be more appropriate if the parties are directed to maintain status quo as it exist today without further alienating the property in any manner and liberty to the petitioner, if they so desire, to establish his claim by way of initiating an appropriate civil proceeding in respect of disputed property.
5. It is ordered accordingly.
6. With the aforesaid observations, the petition stands disposed of.

Sd/-
(P.Sam Koshy)
Judge