

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.668 of 2017**

Dinesh Kumar Sonwani S/o Kashyap Kumar Sonwani, Aged About 35 Years
R/o Plot No. 32, R. K. Residency, Ghuru Ameri Road, Yadunandan Nagar,
Tifra Bilaspur, Police Station Sirgitti, Tahsil Civil & Revneue District Bilapsur,
Chhattisgarh. (Defendant)

---- Petitioner

Versus

Prathmesh Mishra S/o Hardev Dutt Mishra, Aged About 50 Years R/o Azad
Nagar, Masanganj, Bilspur, At Present R/o R.K. Residency, Ghuru Ameri
Road, Yadunandan Nagar, Tifra Bilaspur, Police Station Sirgitti, Tahsil, Civil
& Revenue District Bilaspur, Chhattisgarh. (Plaintiff)

--- Respondent

For Petitioner : Mr. Ratnesh Kumar Agrawal, Advocate

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

14/09/2017

(1) The application filed by the petitioner under Order 26 Rule 9 read with Order 39 Rule 7 of CPC for inspection of the subject house has been rejected by the trial Court by order dated 09.05.2017 against which this writ petition under Article 227 of the Constitution of India has been filed by the petitioner herein.

(2) Learned counsel appearing for the petitioner would submit that the impugned order is unsustainable and bad-in-law.

(3) I have heard learned counsel for the petitioner.

(4) The trial Court has rejected the application holding that no inspection is required in which I do not find any jurisdictional error in the impugned order. However, the petitioner is free to get inspection of the subject house through the private Architect and submit a report

and to prove the same, strictly in accordance with law.

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

Sd/-

(Sanjay K. Agrawal)
Judge

L/-