

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 798 of 2017**

Bahal Ram S/o Nandu, Aged about 35 years, Caste Kanwar, R/o Hansuli,
Tahsil Ambikapur, P. S. Dhourpur, District Surguja Chhattisgarh

---- Petitioner

Versus

1. Faudarin W/o Brahmha, Aged about 40 years, D/o Late Nandu, Caste Kanwar, R/o Village Hansuli, Tahsil Ambikapur, P. S. Dhourpur District Surguja Chhattisgarh
2. State of Chhattisgarh, through The Collector, Ambikapur, District Surguja (Chhattisgarh).

---- Respondents

For Petitioner	:	Mr. Sunil Tripathi, Advocate.
For Respondents	:	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****03/11/17**

1. By way of this instant writ petition, the petitioner is challenging the impugned order dated 10.08.2017, passed by the trial Court whereby the trial Court has framed two additional issues in the suit based on the pleading made by defendant No. 1.
2. Learned counsel appearing on behalf of the petitioner would submit that the impugned order is unsustainable and bad in law as the two additional issues framed are wholly unnecessary and are not required for just and proper disposal of the suit.
3. I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.

4. Since, the trial Court has already framed the issues finding it necessary on the basis of the pleading made by defendant No. 1, it cannot be said to be unnecessary at this stage. However, the plaintiff would be at liberty to adduce the evidence for such issues also. The trial Court is directed to dispose of the suit expeditiously without any further delay.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

SD/-

(Sanjay K. Agrawal)

Judge