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HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C No.182 of 2007**

Bhagwan Shankar Ji Maharaj & Hanuman Maharaj Mandir
Bandhwapara, Raipur C.G., Thru- Sarwarahkar Ratnu S/o Kanshiram &
Ram Bishal, S/o Bhaddu Sonkar, Sonkarpara, Raipur C.G.

---- Applicant**Versus**

1. Akash Dubey, S/o Ashwani Dubey R/o Sunder Nagar, Raipur C.G.
2. Guljarilal Agrawal S/o Late Tibhu Agrawal Aged About 28 Years R/o Shweli, Tah. Abhanpur, Distt. Raipur C.G.
3. Sanat Kumar S/o Late Tibhu Agrawal Aged About 30 Years R/o Shweli, Tah. Abhanpur, Distt. Raipur C.G.
4. Smt. Shailendri D/o Late Tibhu Agrawal Aged About 28 Years R/o Shweli, Tah. Abhanpur, Distt. Raipur C.G.
5. Smt. Satrupa Bai W/o Late Tibhu Agrawal R/o Shweli, Tah. Abhanpur, Distt. Raipur C.G.
6. State Of Chhattisgarh Thru- Collector, Raipur C.G.

-----Non-Applicants

For Applicant:

Shri Sumesh Bajaj, Advocate.

For Non-Applicant No.1:

Shri AK Prasad, Advocate.

For Non-Applicant No.6/State:

Smt Shobha Kashyap, Dy.G.A.

Single Bench: Hon'ble Shri Sanjay Agrawal, J
Order On Board

20.07.2017

1. This M.CC has been filed for modification of order dated 27.10.2005 passed by this Court in W.P. No.120/2005. The relevant portion of it is reproduced herein as under:-

“Accordingly, learned trial court is directed to decide the Civil Suit No.119-A/2004, pending in the Court of Third Civil Judge, Class-II, Raipur within a period of four months from the date of receipt of this order. Till then the status quo with regard to the suit property, as obtains today, shall be maintained by the parties.”

2. By way of this M.CC, learned Counsel for the Petitioner has prayed that the order as passed by this Court on 27.10.2005 in the said Writ Petition be clarified and modified by directing the parties to maintain status quo with regard to the suit property till the disposal of the said Civil Suit pending before the 5th Civil Judge, Class-II, Raipur in Civil Suit No.59-A/13 (old Civil Suit No.119-A/2004, Civil Suit No.81-A/2006).

3. Perusal of the said order would reveal specifically that the learned trial Court was required to decide the said Civil Suit within a period of 4 months from the date of receipt of the said order and simultaneously the parties were directed to maintain the *status quo* with regard to the suit property till the decision of the said suit, meaning thereby, the parties are required to maintain the status quo with regard to the suit property, in fact, till the final decision of the said suit. Be that as it may, I hereby direct that the parties shall maintain the status quo with regard to the suit property till the final decision of the said suit Civil Suit No.59-A/2013, (old Civil Suit No.119-A/04 and Civil Suit No.81-A/2006).

4. In view of the aforesaid direction, the instant M.C.C is disposed of.

Sd/-
(Sanjay Agrawal)
JUDGE