

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (227) No. 261 of 2017**

Sayyd Yunus Ali, S/o Sayyd Yusuf Ali, Aged about 40 years, R/o City Shoe, Malviya Road, Raipur (C.G.), Civil and Revenue District – Raipur (C.G.) Plaintiff

---- Petitioner**Versus**

1. Nagar Palik Nigam, Raipur, Through – Commissioner, Nagar Palik Nigam, Raipur, At present – Near Mahila Police Thana, Gandhi Udyan, Raipur, Tahsil and District Raipur (C.G.)
2. Nagar Palik Nigam, Zone Commissioner, Zone No.8, Mahoba Bazar, Raipur (C.G.)
3. M/s. Somani Associates, Contractor, Nagar Palik Nigam, Zone No. 8, Mahoba Bazar, Raipur (C.G.)
4. State of Chhattisgarh, through the Collector, Raipur, District Raipur (C.G.)

---- Respondents

For Petitioner : Mr. A.K. Prasad, Advocate.

For Respondents No. 1 to 3: Mr. H.B. Agrawal, Sr. Advocate
assisted by Mrs. Meera Jaiswal,

For Respondent No. 4 : Mr. Aditya Sharma, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****07/04/2017**

Heard.

(1) By the impugned order dated 15.02.2017, application under Order 7 Rule 11 of the CPC filed by defendant No. 3 has been allowed and the plaint has been rejected, which is appealable

under Section 96 of the Code of Civil Procedure before the first appellate Court, as such, instant writ petition as framed & filed is not maintainable.

(2) Accordingly, the writ petition is dismissed as not maintainable. However, the petitioner is at liberty to file appeal in accordance with law.

(3) The certified copy of the impugned order be returned to the counsel for the petitioner, after furnishing an attested photocopy thereof .

Sd/-

(Sanjay K. Agrawal)
Judge

D/-