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HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (227) No. 404 of 2017**

Yatish Gandhi, S/o Late Mahendra Gandhi, aged about 37 years, Occupation- Business, R/o Daroga Para, Raigarh, Tahsil and District Raigarh (C.G.), Business Place:- 16, Seth Dayaram Complex, Satigudi Chowk, Raigarh, Tahsil and District Raigarh (C.G.) **{Defendant}**

---- Petitioner**Versus**

Smt. Shanti Devi, W/o Late Dayaram Agrawal, aged about 93 years, R/o Purana Sadar Bazaar, Raigarh, Tahsil and District Raigarh (C.G.) **{Plaintiff}**

---- Respondent

For Petitioner: Mr. S.S. Rajput, Advocate.
For Respondent : Mr. Sanjay Agrawal, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/06/2017**

(1) The application for framing additional issue has been rejected by the trial Court by the impugned order dated 02.03.2017 on the ground that the said issue with regard to monthly rent is already covered in issue No.1, which has already been framed, against which instant writ petition under Article 227 of the Constitution of India has been filed questioning the same.

(2) Learned counsel for the petitioner would submit that the impugned order is absolutely illegal and bad in law and, therefore, the same is liable to be set aside.

(3) Per contra, counsel for the respondent would support the order impugned.

(4) After hearing learned counsel appearing for the parties and after

perusing the order impugned, I do not find any jurisdictional error in the order impugned rejecting the application for framing additional issue filed by the defendant as there is no need to frame additional issue and it is already covered in the issues already framed. Thus, the writ petition being devoid of substance is liable to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-