

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.527 of 2017**

Ghasiya Ram S/o Shri Mohar Sai, Aged About 49 Years Caste Gada, R/o Basnajhar, Tahsil Kharsiya, District Raigarh, Civil & Revenue District Raigarh (Chhattisgarh).

---- Petitioner

Versus

1. Fulmati Wd/o Mohar Sai, Aged About 65 Years Caste Gada, R/o Basnajhar, Tahsil Kharsiya, District Raigarh, Chhattisgarh.
2. Yaadram S/o Pilauram, Aged About 43 Years R/o Basnajhar, Tahsil Kharsiya, District Raigarh, Chhattisgarh.
3. State Of Chhattisgarh, Through The Collector, District Raigarh, Chhattisgarh.

--- Respondents

For Petitioner : Mr. Vivek Chopda, Advocate
 For State : Mr. Gary Mukhopadhyay, Dy.G.A.

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

01/08/2017

(1) By the impugned order dated 20.07.2017, the trial Court has rejected the application filed by the petitioner herein under Section 151 of CPC for grant an opportunity to lead evidence against which, this writ petition under Article 227 of the Constitution of India has been filed by the petitioner.

(2) Learned counsel appearing for the petitioner would submit that the trial Court has committed illegality on the face of the record by non-granting the adjournment to lead evidence.

(3) I have heard learned counsel for the petitioner and perused the impugned order.

(4) The trial Court has clearly recorded a finding that the suit is pending since 24.02.2007 and sufficient and valid reasons have been assigned by the trial Court in rejecting the application under Section 151 of CPC. I do not find any illegality or perversity in the impugned order.

(5) Consequently, the writ petition deserves to be and is accordingly dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-