

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 676 of 2017**

Himanshu Kumar Sharma, S/o. Shri Vijay Kumar Sharma, aged about 30 years, Resident of C/o. R. Chaurasiya, Near Kaali Temple, Kalika Nagar Tifra, Bilaspur, P. S. Sirgitti, Bilaspur (Chhattisgarh).

---Petitioner**Versus**

1. Smt. Sonam Sharma, D/o. Shri Vikas (Bikash) Saha, aged about 27 years, Earlier Residing at House of Sahu Ji, Smt. Sumitra Sahu Ji's House, Near Sai Temple, District Bemetara (Chhattisgarh).

Currently residing at Vividh-2, Naveen Bazar, Bemetara (C.G.)

Other Address: Smt. Sonam Sharma, Data Entry Operator in District Treasury, Bemetara (C.G.)

2. Shri Naresh Tiwari, Advocate Bemetara, District & Sessions Court, Bemetara (Chhattisgarh).

---Respondents

Petitioner-in-person : Mr. Himanshu Kumar Sharma.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****22.09.2017**

1. By the impugned order the petitioner's application under Order 11 Rule 12 of Code of Civil Procedure, 1908 has been rejected by the trial court. Feeling aggrieved against that order the instant writ petition has been filed.

2. Mr. Himanshu Kumar Sharma petitioner-in-person would submit that impugned order is unsustainable and bad in law.

3. I have heard the petitioner-in-person.
4. The trial court has clearly held that the respondent/plaintiff has been examined and cross examined in detail with respect to the documents filed by the plaintiff and there is no need to direct the plaintiff to file additional documents. Since the plaintiff has already has been examined and petitioner has cross examined the plaintiff, in my considered opinion that the trial court is absolutely justified in rejecting the application filed under Order 11 Rule 12 CPC. I do not find any jurisdictional error or illegality in the impugned order warranting interference by this Court under Article 27 of the Constitution of India.
5. Accordingly, the writ petition deserves to be and is hereby dismissed. Copy of this order be sent to the trial Court for information and needful action.

Sd/-

(Sanjay K. Agrawal)
Judge