

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No.6591 of 2006**

BSP Cooperative Society Limited (Registration No.1392 year 1957)
Sector-1, Bhilai Nagar, Tahsil and District Durg through President
Executive Committee BSP Co-operative Society Limited, Sector-1
Bhilai Nagar, Tahsil & District Durg (CG).

---- Petitioner**Versus**

1. Municipal Corporation Bhilai through Commissioner Municipal Corporation Bhilai Tahsil and District Durg (CG).
2. Steel Authority of India Limited through Managing Director Bhilai Steel Plant Steel Authority of India Limited, Bhilai-Nagar Tahsil & District Durg (CG).
3. Nirmal Singh, S/o late Harbans Singh.
4. Tirath Singh, S/o late Harbans Singh.
5. Amarjit Singh, S/o late Harbans Singh.
6. Balbir Singh alias Ballu Singh S/o late Harbans Singh.

Respondents No.3 to 4 resident of New Market Khurshipar,
Bhilai Tahsil and District Durg (CG).

---- Respondents

For Petitioner : Mr. V.G. Tamaskar, Advocate
For Respondent No.1 : Mr. Manoj Paranjpe, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****3/4/2017**

(1) The petitioner/plaintiff's suit was dismissed by the impugned order dated 02.05.2006 as his counsel who was appearing in the lower court on his behalf pleaded no instructions in the matter, against which this petition under Article 227 of the Constitution of

India has been filed by the petitioner/plaintiff.

(2) The remedy to the petitioner is to make an application under Order 9 Rule 9 of CPC for setting aside the dismissal order and for restoration of suit and as such, this writ petition is not maintainable. However, the petitioner is at liberty to proceed in accordance with law.

(3) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-