

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 1011 of 2013**

- Vijay Kumar Karande S/o Late Rajaram Karande R/o Ward No. 23, Juni Hatari (Near Juni Hatari, Ram Mandir), Rajnandgaon, Civil and Revenue Distt. Rajnandgaon C.G.

----- Petitioner

Versus

- Madanlal Navlani S/o Sajjanmal Navlani Aged About 54 Years R/o Lalbagh, Lane No.3, Sindhi Colony, Rajnandgaon, Civil and Revenue Distt. Rajnandgaon C.G.

----- Respondent

For Petitioner : Shri Anup Majumdar, Advocate.
For Respondent : Shri Ravindra Agrawal, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

03/08/2017

1. Report from Tehsildar, Rajnandgaon dated 23.9.2014 has been received mentioning that the appellant does not have any immovable property and his annual income is Rs.36,000/-. On the previous date of hearing, we had directed the appellant to submit statement of bank account and Aadhar Card. In one of the bank accounts, the appellant appears to have obtained loan of Rs.2 lakhs for which it is explained that the appellant has obtained loan under the Pradhan Mantri Rojgar Yagna. In the other account, the balance is approximately Rs.115/-.
2. Shri Ravindra Agrawal, learned counsel for the respondent,

would refer to para-8 of the judgment of the trial Court wherein it is mentioned that the appellant has account in Allahabad Bank.

3. The appellant is present in person. We have verified from him as to whether he has account with Allahabad Bank to which he replies that earlier he had account with the Allahabad Bank but the said account was closed by him for the reason that on his failure to maintain minimum balance, the bank was charging and deducting the amount per month.
4. Having considered the entire material placed before this Court, we are satisfied that the appellant does not possess sufficient means to pay the Court Fee of Rs.92,800/-, therefore, he deserves to be permitted to prefer an Appeal as indigent person.
5. Accordingly, the MCC is allowed. Let the Registry register regular First Appeal and place the same for admission along with record of the trial Court immediately after 4 weeks.

Sd/-
Judge
(Prashant Kumar Mishra)

Sd/-
Judge
(Arvind Singh Chandel)