

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Writ Petition (227) No.726 of 2015**

Ram Naresh Ram S/o Shri Parsadi, Aged About 45 Years Caste Kanwar, Resident Of Udari, Police Station Dhourpur, Tahsil Lundra, District Surguja (Chhattisgarh)

**---- Petitioner**

**Versus**

1. Smt. Tijo Bai W/o Late Nan, Aged About 72 Years By Caste Gond, Resident Of Mahamaya Para, Near Mahamaya Mandir, Ambikapur, Tahsil And Police Station Ambikapur, District Surguja (Chhattisgarh)
2. Smt. Vimla D/o Late Lodhu, Aged About 26 Years By Caste Gond, Resident Of Mahamaya Para, Near Mahamaya Mandir, Ambikapur, Tahsil And Police Station Ambikapur, District Surguja (Chhattisgarh)
3. Smt. Sima @ Simla D/o Late Lodhu, Aged About 24 Years By Caste Gond, Resident Of Mahamaya Para, Near Mahamaya Mandir, Ambikapur, Tahsil And Police Station Ambikapur, District Surguja (Chhattisgarh)
4. Smt. Sukhmaniya W/o Late Khiru, Aged About 50 Years By Caste Gond, Resident Of Mahamaya Para, Near Mahamaya Mandir, Ambikapur, Tahsil And Police Station Ambikapur, District Surguja (Chhattisgarh)
5. Dinesh Pawle S/o Late Lodhu, Aged About 36 Years By Caste Gond, Resident Of Mahamaya Para, Near Mahamaya Mandir, Ambikapur, Tahsil And Police Station Ambikapur, District Surguja (Chhattisgarh)
6. Smt. Sumitra Singh D/o Somaru Singh, Aged About 36 Years Caste Khairwar, Resident Of Mominpura, Ambikapur, District Surguja (Chhattisgarh)
7. State Of Chhattisgarh, Through The Collector, Surguja, Ambikapur (Chhattisgarh)

**---- Respondents**

|                |   |                                   |
|----------------|---|-----------------------------------|
| For Petitioner | : | Mr. Shahid Ahmad Ansari, Advocate |
| For State      | : | Mr. Aditya Sharma, Panel Lawyer   |

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

**11/12/2017**

(1) Learned counsel appearing for the petitioner would submit that the trial Court has committed jurisdictional error in accepting the written statement filed on behalf of respondents No.1 to 5 though they were already proceeded ex-parte and they have not filed any application for setting aside ex-parte proceeding and, therefore, impugned order is liable to be set aside.

(2) None present on behalf of the other respondents though served.

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

(4) The trial Court by impugned order dated 06.07.2015 has taken the written statement on record filed by respondents No.1 to 6 though the respondents No.1 to 5 were proceeded ex-parte but respondent No.6 is already appearing before the trial Court and joint written statement has been filed in which I do not find any jurisdictional error in the impugned order.

(5) The copy of this order be sent to the trial Court for further proceeding with the matter.

(6) With the aforesaid observation, the writ petition stands finally disposed of. No order as to costs.

Sd/-

**(Sanjay K. Agrawal)**  
Judge

L/-