

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.258 of 2017**

1. Smt.Rekha Jaiswal W/o Vijay Jaiswal, aged about 41 years,
 2. Vaibhav Kumar Jaiswal S/o Vijay Jaiswal, aged about 19 years
- Both are R/o Dahejwar P.S. & Tahsil-Balrampur, Distt.-Balrampur (CG)

---Petitioners**Versus**

1. Nasim Ansari S/o Late Basir Ansari, aged about 36 years, R/o Ward No.7, Ramanujganj, Tahsil-Ramanujganj, Distt-Balrampur (CG)
2. State of C.G. through the Collector Balrampur (CG)

---Respondents

For petitioners	:	Mr.A.N.Pandey, Advocate
For Respondent No.2	:	Mr.Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**13/04/2017

Heard.

1. The petitioners application filed under Section 10 of the Code of Civil Procedure has been rejected by the trial Court by the impugned order dated 21.2.2017 finding no such ground to stay the instant suit, against which, this writ petition under Article 227 of the Constitution of India has been filed.
2. Learned counsel for the petitioners would submit that the impugned order passed by the trial Court is perverse and contrary to law.
3. I have heard learned counsel for the petitioner and perused the order impugned.

4. The trial Court has clearly recorded a finding that the petitioners have not filed relevant documents like written statement, issues and other documents of the earlier suit, therefore, it cannot be held that subsequent suit deserves to be stayed.
5. I do not find any jurisdictional error in the impugned order. The writ petition deserves to be and is hereby dismissed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-