

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 779 of 2017**

Smt. Renuka Malik W/o Late Laxmikant Malik, Aged about 50 years, R/o Ward No. 9, Moharpara, Manendragarh, District Koriya, Chhattisgarh.

---- **Petitioner****Versus**

Uma Shankar Sonkar S/o Magilal Sonkar, Aged about 45 years, R/o Ward No. 9, Moharpara, Manendragarh, District Koriya, Chhattisgarh.

---- **Respondent**

For Petitioner : Mr. Shakti Raj Sinha and Mr. Nishi Kant Sinha,
Adv.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/10/17**

1. Learned counsel appearing on behalf of the petitioner would submit that the petitioner / plaintiff has filed an application under Order 26 Rule 9 of the CPC which has been rejected by the trial Court by impugned order dated 25.09.2017 against which this writ petition under Article 227 of the Constitution of India has been preferred by the petitioner.
2. Learned counsel for the petitioner would submit that the impugned order is unsustainable and bad in law and is liable to be set aside.
3. I have heard learned counsel for the petitioner and perused the impugned order with utmost circumspection.
4. The trial Court has assigned sufficient and valid reasons for rejecting the application filed by the petitioner / plaintiff under Order 26 Rule 9 of the CPC as both the parties have closed their evidence and the case has been fixed for final arguments. I do not find any illegality in the impugned order.

5. Accordingly, the writ petition deserves to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka