

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 817 of 2017**

Shailendra Kumar Minj S/o Fulchand Minj, Aged about 35 years, Occupation-Teaching, R/o Village Burhadand, P.O. Gala P.S., Tah. Pathalgaon, Dist. Jashpur, Chhattisgarh

---- Petitioner

Versus

Sushma Ekka D/o Keshav Prashad Ekka, Aged about 32 years, Occupation Teaching, R/o Behind Range Office Mulgim Para Sitapur, P.O., P.S., Tah. Sitapur, Dist. Ambikapur (Surguja) Chhattisgarh

---- Respondent

For Petitioner

:

Mr. I. Lakra, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****09/11/17**

1. By the impugned orders dated 19.06.2017 and 21.09.2017, the Family Court, Jashpurnagar has dismissed the petitioner's / plaintiff's case for want of prosecution and the application filed under Order 9 Rule 13 of the CPC for restoration of the case respectively against which this writ petition under Article 227 of the Constitution has been preferred by the petitioner.
2. Learned counsel appearing on behalf of the petitioner would submit that the impugned orders are bad in law and are liable to be set aside.
3. I have heard learned counsel for the petitioner.
4. Be that as it may, the petitioner would be at liberty to file an application for restoration of the suit under the provisions of Order 9 Rule 9 of the CPC before the Family Court, Jashpurnagar who, in turn, is

directed to decide the same expeditiously.

5. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka