NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 907 of 2017

Sushila Sahu W/o Late Radheshyam Sahu, Aged About 35 Years Occupation House Wife And Agriculturist, R/o Village Dabripara, Police Station Patna, Tahsil Baikunthpur, District Koriya Chhattisgarh

---- Petitioner

Versus

1. Murari Lal Sahu S/o Jagdish Prasad Sahu, Aged About 45 Years Caste Teli, Occupation Service And Agriculturist, R/o Dabripara, Police Station Patna, Tehsil Baikunthpur District Koriya Chhattisgarh

2. State Of Chhattisgarh, Through The Collector, Office Chinddand, Baikunthpur, District Koriya, Chhattisgarh

---- Respondents

For Petitioner : Mr. P.P. Sahu, Advocate.
For Respondents/State : Mr. Majid Ali, Panel Lawyer for the State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/12/17

1. The trial Court, by its impugned order dated 13.07.2017, has rejected the application filed by the petitioner / plaintiff under Section 151, 114 and 11 of the C.P.C. and has refused to close the opportunity of the respondents / defendants to cross-examine the petitioner / plaintiff, being aggrieved against which this writ petition under Article 227 of the Constitution has been preferred by the petitioner.

2. Learned counsel for the petitioner submits 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. On careful perusal, considering the finding recorded by the trial Court, I do not find any good reason to interfere with the impugned order.

So far as the supply of copy of amended plaint is concerned, the copy shall be provided to the respondents / defendants but the expenses shall be born by the defendants.

5. Since the suit is pending since 13.10.2009, it would be expedient to direct the trial Court to conclude the proceedings expeditiously within three months from the date of receipt of copy of this order.

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

Sd/-

(Sanjay K. Agrawal)
Judge

Priyanka