

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (Art. 227) No.586 of 2014

Abhijit Kumar Bose, S/o Ravindranath, aged about 65 years, R/o Near Nagorao Shesh School, Bilaspur, Police Station City Kotwali, Tahsil and District Bilaspur (C.G.) Through power of attorney holder Sunit Kumar Bose, age 47 years, S/o S.K. Bose, R/o Rukhmani Vihar, Magarpara, District Bilaspur (C.G.)

(Defendant)
---- Petitioner

Versus

Manohar Lal Gupta, S/o late R.S. Gupta, aged about 56 years, R/o Juna Bilaspur, in front of Nagorao Shesh School, Bilaspur, Police Station City Kotwali, Tahsil and District Bilaspur (C.G.)

(Plaintiff)
---- Respondent

For Petitioner: Mr. Anant Bajpai, Advocate
For Respondent: None present.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board20/09/2017

1. Learned counsel for the petitioner / defendant submits that the defendant's right to cross-examine the plaintiff and plaintiff's witness Lakshmi Narayan Dewangan, both, has been closed by the impugned order.
2. None present for the respondent, though served.
3. Since the suit is for eviction and arrears of rent, cross-examination of the plaintiff and his witness is necessary for just and proper disposal of suit. Therefore, the impugned order is set aside and the plaintiff and his witness are directed to remain present before

the trial Court for their cross-examination on 11-10-2017. The petitioner will pay a cost of Rs.3,000/- to the respondent / plaintiff.

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

Sd/-
(Sanjay K. Agrawal)
Judge

Soma