

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No.458 of 2016**

Nanku Ram Patel, S/o late Dukalha Ram Patel, aged about 55 years, R/o Village Mandhar, Sub Tahsil Dharsiwa, District Raipur, Civil and Revenue District Raipur (CG).

---- Petitioner

Versus

Shiv Kumar Patel, S/o Shri Sita Ram Patel, R/o Village Mandhar, Sub Tahsil Dharsiwa, District Raipur, Civil and Revenue District Raipur (CG).

--- Respondent

For Petitioner	:	Mr. A.K. Prasad, Advocate
For Respondent	:	Mr. C.R. Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****18/04/2017****(1)** Heard.

(2) By the impugned order dated 26.04.2016, the trial Court has allowed the respondent/defendant's application under Section 65 of the Indian Evidence Act and documents mentioned in the impugned order has been allowed to be given as secondary evidence against which, the petition under Article 227 of the Constitution of India has been filed by the petitioner/plaintiff herein.

(3) Learned counsel appearing for the petitioner submits that the impugned order is perversity or contrary to law and therefore, the

impugned order be set-side.

(4) After hearing learned counsel for the parties and considering the nature of documents, which has been allowed by the trial Court as secondary evidence, I do not find any jurisdictional error in the impugned order. Consequently, the writ petition filed under Article 227 of the Constitution of India deserves to be and is accordingly dismissed.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-