

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 162 of 2015**

Ratna Tiwarkar, daughter of late Shyamrao Bhandge, aged about 42 years, Caste-Brahman, resident of Gokulpur Ward, Dhamtari, District – Dhamtari (C.G.)

----Petitioner/Plaintiff

Versus

1. Laxminarayan, so of Moti Soni, resident of Gokulpur Ward, Dhamtari, District – Dhamtari (C.G.) (Defendant)

2. Vishnu (since deceased) through LR.

2(1) Smt. Bisahin Dhimar, Wd/o late Vishnu Dhimar, aged about 45 years,

2(2) Yogendra Dhimar, S/o Late Vishnu Dhimar, aged about 21 years,

2(3) Prem Dhimar, S/o late Vishnu Dhimar (minor) aged about 15 years,

All are R/o Gokulpur Ward, Dhamtari, District Dhamtari (C.G.)

---- Respondents

For Petitioner : Shri B.P. Singh, Advocate.

For Respondents : Shri A.N. Bhakta, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

22/11/2018

(1) By the impugned order dated 05.1.2013, trial Court directed the plaintiff to value the suit house in accordance with law and pay proper court fee, against which instant writ petition has been filed questioning the same.

(2) I have heard learned counsel appearing for the parties.

(3) It is an admitted position that issue No. 6 has been framed by the trial Court regarding valuation and court fee. In view of issue having been framed regarding valuation and court fee, the trial Court is directed to proceed with the suit and adjudicate the question of court fee and valuation along with the other issues, already framed. Thus, the order impugned is modified to the extent that issue of valuation and court fee will be considered at the time of final disposal of the suit.

- (4) With the aforesaid observations, the writ petition stands finally disposed of.
- (5) Copy of this order be sent to the trial Court through concerned District Judge for compliance and needful.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

