

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (Art. 227) No.841 of 2013

Ramjeet Yadav, aged about 60 years, S/o Ramnaresh Yadav, By Caste Yadav, R/o Basant Nagar, Thana and Tahsil Bhanupratappur, Distt. U.B. Kanker

(Defendant)
---- Petitioner

Versus

Narrotam Singh Chouhan, aged about 31 years, S/o M.P. Singh Chouhan, by Caste Kshatriya, R/o Shilpara, Thana and Tahsil Bhanupratappur, Distt. U.B. Kanker

(Plaintiff)
---- Respondent

For Petitioner: Mr. Parag Kotecha, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/10/2018

1. The defendant's first appeal under Section 96 of the CPC has been dismissed as barred by limitation against which this writ petition has been preferred.
2. In my considered opinion, second appeal under Section 100 of the CPC would lie against the order dismissing the first appeal as barred by limitation and as such, this writ petition is not maintainable and the same is dismissed accordingly. However, certified copy of the judgment & decree impugned be returned to counsel for the petitioner on his furnishing a photocopy of the same. The petitioner herein would proceed in accordance with law. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge