

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 656 of 2014**

- Ramayan Sahu S/o Late Mukund Sahu Aged About 58 Years, Caste Teli, R/o I.T.I. Rampur, Korba, Tahsil & District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Collector Korba, Dist Korba, Chhattisgarh
2. The Municipal Corporation, Korba, Through The Commissioner, Tahsil & Distt Korba, CG

---- Respondents**WP227 No. 657 of 2014**

- Smt. Krishna Devi Sahu W/o Shri Harprasad Sahu, Caste Teli, Aged About 42 Years R/o Plat No. 772, Kosabadi, Korba, Tahsil & District Korba, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Collector- Korba, Distt Korba, Chhattisgarh
2. The Municipal Corporation, Korba, Through The Commissioner, Tahsil & Distt Korba, Chhattisgarh

---- Respondents

For Petitioner s	:	Shri Bharat Rajput, Advocate
For Respondent/State	:	Ms. Astha Shukla, PL for the State.
For Respondent No.2.	:	Shri Aditya Bhardwaj, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board**

10/08/2018

1. Heard.
2. The instant petition is against the rejection of an application filed under Order 39 Rule 1 & 2 CPC by the Civil Judge, which was affirmed in the appeal.
3. Learned counsel for the petitioners submits that after the dismissal of the injunction application, the respondents have raised superstructure.
4. In view of the above, the liberty is granted to the petitioners to make suitable amendment and place the fact before the trial Court, which can only decide the right of the parties after the evidence is led on this behalf. At this stage, considering the progress made, this Court is not inclined to interfere with the order as with the lapse of time it has become infructuous.
5. With such observation, both the petitions stand disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu