

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WRIT PETITION (227) No. 461 of 2015

1. Nandkeshwar Paikra S/o Aklū Aged About 40 Years, Resident Of Village Baraikela, P.S. Kansabel, District- Jashpur Chhattisgarh.
2. Mahemati @ Puri D/o Aklū Aged About 46 Years Resident Of Village Baraikela, P.S. Kansabel, District- Jashpur Chhattisgarh.
3. Saraswati @ Fari D/o Aklū Aged About 43 Years Resident Of Village Baraikela, P.S. Kansabel, District- Jashpur Chhattisgarh.

---- Petitioner

Versus

1. Somari D/o Ramsay Aged About 42 Years, Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
2. Pramod Ekka S/o Juliyas Ekka Aged About 36 Years Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
3. Jhoram Ekka S/o Juliyas Ekka Aged About 35 Years Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
4. Bhawneshwar S/o Mdhumam Aged About 35 Years, Caste - Uraon Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
5. Arjunram S/o Madhumam Aged About 30 Years Caste - Uraon Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
6. Fulkunwar S/o Ramsay Aged About 40 Years Caste - Uraon Resident Of Village- Sarga, P.S. And Tahsil - Seetapur, District- Surguja Chhattisgarh.
7. State Of Chhattisgarh, Through Collector, Ambikapur, District- Surguja Chhattisgarh.

---- Respondents

_ For Petitioners : Shri Sunil Tripathi, Advocate.
For Respondents No.2, 4 & 5 : Shri A.K. Prasad, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

01/11/2018

1. By the impugned order, the trial Court has closed the opportunity of the plaintiff's to adduce evidence, against which, this writ petition has been preferred.
2. I have heard learned counsel for the parties at length.
3. Considering the fact that the opportunity to lead evidence granted earlier was based on reasonable ground and sufficient cause has been shown for not adducing evidence on 27.03.2015. The impugned order is set aside plaintiff is granted liberty to lead evidence. It is directed that the plaintiff will keep their all witnesses present before the trial Court on 26.11.2018 subject to payment of costs of Rs. 1,500/- to the defendant Nos.1 to 6. No further opportunity will be granted unless exceptional circumstances are made out.
5. Accordingly, the writ petition is disposed off with the aforesaid liberty. A copy of this order be sent to the concerned trial Court.
6. Since the suit is instituted on 29.01.2002, the trial Court is directed to conclude the trial within three months from the date of receipt copy of this order.

Sd /-

(Sanjay K. Agrawal)
Judge