

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(227) No. 321 of 2017**

1. Rajendra Tiwari, Aged about 59 years, S/o Late Vijay Kumar Tiwari, R/o Bhoghapara, Sheorinarayan, Tah. Navagarh, District Janjgir Champa (C.G.)
2. Punendra Tiwari, aged about 51 years, S/o Late Vijay Kumar Tiwari, R/o Bhoghapara, Sheorinarayan, Tah. Navagarh, District Janjgir Champa (C.G.)
3. Manoj Tiwari, aged about 46 years, S/o Late Vijay Kumar Tiwari, R/o Bhoghapara, Sheorinarayan, Tah. Navagarh, District Janjgir Champa (C.G.)
---- **Petitioner/Plaintiff**

Versus

1. Nagar Panchayat, Sheorinarayan through Chief Municipal Officer, Sheorinarayan, Tahsil Navagarh, District Janjgir Champa (C.G.)
2. Sanjay Agrawal, President Nagar Panchayat, Sheorinarayan, Tahsil Navagarh, District Janjgir Champa (C.G.)
3. State of Chhattisgarh, through Collector, Janjgir Champa District Janjgir Champa (C.G.)
---- **Respondents/Defendants**

For Petitioners	:	Mr. Anand Kumar Gupta, Advocate.
For Respondents No.1 &2:		Mr. Sunil Sahu, Advocate.
For Respondent No.3/State:		Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/11/18**

1. In a suit filed by the petitioners/ plaintiffs for declaration of title and permanent injunction they also filed an application under Order 39 Rule 1 & 2 CPC which was rejected by the trial Court and upheld by the miscellaneous appellate Court against which this writ petition has been preferred.
2. Learned counsel appearing for the petitioners submits that the

impugned order is unsustainable and bad in law and is liable to be set aside.

3. I have heard learned counsel for the petitioners and perused the records with utmost circumspection.

4. This Court while entertaining the writ petition on 27.04.2017 granted following interim relief -

“Till then, *status quo* with regard to the suit property shall be maintained by the parties.”

5. The aforesaid interim order is operative till now. Since the suit is pending consideration from 28.06.2016, it would be expedient to direct the trial Court to decide the suit expeditiously preferably within a period of six months from the date of receipt of copy of this order and till then, the interim order granted earlier shall remain in operation.

6. Accordingly, with the abovestated direction, the writ petition is disposed of with no order as to cost(s).

7. A copy of this order be sent to the trial Court directly as well as through the concerned District Judge for needful and compliance.

SD/-

(Sanjay K. Agrawal)
Judge