

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 291 of 2018

Raja Agrawal S/o Shri Bhimsen Agrawal Aged About 40 Years R/o Akaltara, District Janjgir Champa Chhattisgarh Presently Residing At Purana Bus Stand Road Imlipara, Bilaspur Police Station Civil Lines Tehsil Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Collector, Janjgir Civil And Revenue District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
2. Sub Divisional Officer (Revenue) Janjgir , Revenue And Civil District Janjgir Champa Chhattisga, District : Janjgir-Champa, Chhattisgarh
3. Tehsildar Akaltara Revenue And Civil District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh
4. Akhilesh Kaushik S/o Shri Sitaram Kaushik Aged About 40 Years Caste Kalar, R/o Akaltara, Police Station And Tehsil Akaltara District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Surfaraj Khan, Advocate
For State / respondents 1 to 3	:	Shri Satish Gupta, Govt. Advocate on advance copy

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

24/04/2018

The petitioner has filed this petition aggrieved by proceedings drawn by respondent No.2 in an appeal filed by respondent No.4.

2. Learned counsel for the petitioner submits that the petitioner has a serious objection to the maintainability of the appeal but the authority / respondent No.2 is not accepting his application to decide his preliminary objection to the maintainability of the appeal.

3. Learned State counsel submits that the petitioner may submit his reply including objection to the maintainability of the proceedings in appeal before the competent authority.

4. In view of the said statement made before this Court, I am inclined to dispose off the matter at this stage with a direction that if the petitioner submits any objection in writing to the maintainability of appeal pending before respondent No.2 in the matter of appeal filed by respondent No.4, before proceeding further in the appeal, the appellate authority shall first decide the issue of maintainability of the appeal.

5. The petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge