

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 265 of 2018**

- T. Prakasham S/o Late T. Jesuratnam Aged About 45 Years R/o Road No. 2, Block 2 B, Zone 3, Khursipar, Bhilai, Tahsil And District Durg, Chhattisgarh..... (Defendant No. 1)

---- Petitioner**Versus**

1. Smt. Prateeksha Chandu W/o Late Ashish Chandu Aged About 39 Years
2. Arpit Chandu S/o Late Ashish Chandur Aged About 11 Years Minor Represented Through Mother Smt. Prateeksha Chandu,

Both are R/o MIG 1/326, Amdi Nagar, Hudco Bhilai, Tahsil & District Durg, Chhattisgarh (Plaintiffs)
3. Navaljeet Chandu S/o Daniel Chandu Aged About 75 Years R/o 3-B Road No. 33, Sector 7, Bhilai, Tahsil & District Durg, Chhattisgarh (Defendant No. 2)

---- Respondents

For Petitioner : Shri B.P. Singh, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/03/2018**

1. Heard.
2. The present petition is against the order dated 02.02.2018, whereby an application preferred by defendant No.1/petitioner under Section 10 & 11 CPC was dismissed on the ground that the plaintiffs in the suit namely Prateeksha Chandu and Arpit Chandu, who had file the civil suit were not a party to the earlier decree which was passed in favour of the petitioner T. Prakasham against Navaljeet.

3. At this stage any observation of this Court may lead to final adjudication of the matter, therefore, the petitioner would be at liberty to lead the evidence to show the fact that the plaintiffs primarily Prateeksha Chandu and Arpit Chandu they had all the knowledge about the earlier decree.
4. With such observation, the petition is disposed of at this stage.

Sd/-
Goutam Bhaduri
Judge

Ashu