

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 376 of 2018**

Akhil Bhartiya Guru Ghasidas Mahasamiti, A Society registered under the Societies Registration Act, 1973, Through Dr. Laxman Bharti, President, Guru Ghasidas Plaza, Amapara, Raipur, Chhattisgarh

----Petitioner/Defendant

Versus

M/s. Bhilai Builders Pvt. Ltd., B-2/11, Ravi Bhavan, G.E. Road, Raipur, Chhattisgarh

----Respondent/Plaintiff

For Petitioner : Dr. N.K. Shukla, Senior Advocate with Shri Vikram Sharma, Advocate.
For respondent : Shri Ashish Surana, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/11/2018

1. In a suit filed by the respondent/plaintiff, the trial Court rejected the application for temporary injunction filed by the plaintiff, which was granted by the miscellaneous appellate Court in appeal filed under Section 43 (1)(r) of the Code of Civil Procedure, against which instant writ petition has been filed questioning that order.

2. I have heard learned counsel appearing for the parties.

3. This Court while entertaining the writ petition filed by the defendant against the order granting temporary injunction in favour of the plaintiff passed following interim order :-

“In the meanwhile, it is directed that respondent shall not create any third party interest on the basis of power of attorney over the superstructure.”

4. Since the civil suit filed by the plaintiff is pending consideration since 13.08.2009, it would be expedient to direct the trial Court to decide the suit expeditiously preferably within

a period of four months from the date of receipt of certified copy of this order. Ordered accordingly.

5. Interim order granted on 2.5.2018 shall remain in operation for a period of four months.

6. With the aforesaid direction, the writ petition stands finally disposed of.

7. Copy of this order be sent to the trial Court through the concerned District Judge for compliance and needful.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

