

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 759 of 2014**

Daulat Ram Sen, S/o Shri Mehatar Ram Sen, aged about 42 years, Caste Nai, R/o Karhibazar, Tahsil Bhatapara, District Balodabazar-Bhatapara (C.G.)

----Petitioner

Versus

1. Mehatar Ram Sen, S/o Late Shri Tirath Ram Sen, Caste Nai, aged about 71 years,

2. Shukdev Sen, S/o Mehatar Ram Sen, aged about 38 years, Caste Nai,

Both are resident of Karhibazar, Tahsil Bhatapara, District Balodabazar-Bhatapara (C.G.)

3. State of Chhattisgarh, through : Collector, District Balodabazar – Bhatapara (C.G.)

---- Respondents/Defendants

For Petitioner : Smt. Anju Ahuja, Advocate.

For Respondents No. 1 & 2 : None appeared, though served.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

25/10/2018

(1) By the impugned order dated 16.07.2014, petitioner's application under Section 151 of the Code of Civil Procedure (henceforth "CPC") for framing additional issues has been rejected, against which instant writ petition has been filed questioning the same.

(2) I have heard learned counsel appearing for the petitioner.

(3) The petitioner/plaintiff has specifically prayed the relief of declaring the sale deed dated 6.8.2011 as null and void but no issue has been framed in this regard, which is absolutely necessary for just and proper disposal of the suit.

(4) The trial Court is directed to frame additional issue on the basis of pleadings made by the plaintiff with regard to sale deed dated 6.8.2011 within a period of two

weeks from the date of receipt of certified copy of this order and thereafter proceed with the matter in accordance with law.

(5) With the aforesaid observations, the writ petition stands finally disposed of.

(6) Copy of this order be sent to the trial Court through District Judge, Baloda Bazar.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

