

HIGH COURT OF CHHATTISGARH, BILASPUR**M.A. No. 115 of 2015**

Prateek Khare S/o Late Bharat Bihari Khare, Aged About 47 Years
R/o E-1, Shantinagar, Behind Gaurav Vatika, Shahid Bhagat Singh
Chowk, Raipur, Police Station And Post Raipur, Civil And Revenue
District Raipur, ChhattisgarhPlaintiff **---- Appellant**

Versus

1. Sunil Vaidya S/o Bhanwarlal Vaidya, R/o Sadar Bazar, Raipur,
Police Station And Post Raipur, Civil And Revenue District Raipur,
Chhattisgarh, At Present R/o Sadar Bazar, Mungeli, Police Station
And Post Mungeli, Revenue District Mungeli, Chhattisgarh,
Chhattisgarh
2. Kamal Deewan S/o Late Gopaldhar Deewan, R/o Bramhanpara,
Raipur, Police Station And Post Raipur, Civil And Revenue District
Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Smt. Sunita Deewan W/o Sanjay Deewan, R/o Bramhanpara,
Raipur, Police Station And Post Raipur, Civil And Revenue District
Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
4. Smt. Rajshree Sharma W/o Vipin Sharma, R/o Sundar Nagar,
Raipur, Police Station And Post Raipur, Civil And Revenue District
Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
5. State Of Chhattisgarh, Through Collector, Raipur, Office At Collector
Office Campus, Raipur, District Raipur, Chhattisgarh
.....Defendants, District : Raipur, Chhattisgarh

--- Respondents

For Appellant	:	Mr. Manoj Paranjpe, Advocate.
For Respondents	:	Mr. Aditya Tiwari, Advocate.
For Respondent No.5/State	:	Mr. Rahul Tamaskar, PL.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/12/18**

1. By the impugned order dated 25.08.2015, the application filed by the plaintiff under Order 39 Rule 1 and 2 of CPC has been rejected by the

trial Court against which this miscellaneous appeal has been preferred.

2. Learned counsel appearing on behalf of the petitioner 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 petitioner and perused the impugned order with utmost circumspection.

4. It is stated at the bar that the suit was filed on 08.09.2014 and the plaintiff's evidence has already been closed and the defendants evidence is under way. In view of that I am inclined to direct the trial Court to dispose of the suit expeditiously preferably within a period of three months from the date of receipt of copy of this order.

5. With the aforesaid observation, the miscellaneous appeal stands finally disposed of leaving all the pleas available to be raised before the trial Court. No order as to cost(s).

SD/-
(Sanjay K. Agrawal)
Judge