

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (227) No. 851 of 2013**

*{Arising out of Order dated 18.09.2013 passed in Civil Suit No. 31-A/2013 by the 4<sup>th</sup> Additional Judge to the Court of 1st Additional District Judge, Bilaspur}*

1. Ravi Prakash Sharma Son of Shri R.P.Sharma, aged about 40 years.
2. Laxmi Narayan Sharma, Son of Shri Shivnandan Sharma, Aged about 45 years.  
Both Residents of Gayatri Mandir Road, R-2, Vinoba Nagar, Bilaspur, Tahsil and District Bilaspur, Civil and Revenue District Bilaspur.

---- **Petitioners****Versus**

1. S.R.Sahu son of Shri M.R.Sahu, aged about 49 years.
  2. Smt. Jageshwari Sahu wife of Shri Brijesh Sahu.
  3. Smt. Usha Sahu wife of S.R.Sahu.
- No. 1 to 3 are residents of Nehru Nagar, Bilaspur, Tehsil and District Bilaspur.
4. State of Chhattisgarh, Through the Collector, Bilaspur.

---- **Respondents**


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|----------------------|--------------------------------------------|
| For Petitioner       | : Shri Raza Ali, Advocate.                 |
| For Respondents      | : Shri Avinash Choubey, Advocate           |
| For Respondent/State | : Shri R.K.Gupta, Deputy Advocate General. |

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**Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice****Order on Board****29/01/2018**

1. The order impugned in this writ petition under Article 227 of the Constitution of India is one on the issue of the sufficiency or otherwise of the Court fee due to be paid on a plaint.
2. With the passage of time, the suit has been adjudicated and finally decided by the Trial Court. It is submitted by the learned counsel for the Petitioner that a first appeal is pending before the competent court. Under such circumstances, this writ petition is closed leaving open the issue of court fee payable to be raised during the course of appeal, if it becomes necessary and permissible.

Sd/-  
(Thottathil B. Radhakrishnan)  
**CHIEF JUSTICE**