

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 929 of 2017**

1. Pooran Lal S/o Sakharam, aged about 53 years, Occupation – Kotwari, R/o Village – Chaple, Tahsil Kharsiya District Raigarh (C.G.) **---- Petitioner**

Versus

1. Rath Lal S/o Laxmi Prasad Patel, aged about 52 years, Occupation – Agriculturist, R/o Village Chaple Tahsil Kharsiya, District Raigarh (C.G.)
2. State of Chhattisgarh, through Collector, Raigarh, Dist. Raigarh (C.G.) **---- Respondents**

For Petitioner	:	Ms. Sharmila Singhai, Advocate.
For Respondent No.1	:	Mr. Abhishek Saraf, Advocate.
For Respondent No.2/State	:	Mr. Arun Sao, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26/11/18**

1. In a suit filed by the petitioner/plaintiff for declaration of title and permanent injunction, he also filed an application under Order 39 Rule 1 and 2 of CPC for grant of temporary injunction which was rejected by the trial Court and upheld by the miscellaneous appellate Court aggrieved against which this writ petition has been preferred by the petitioner.
2. Learned counsel appearing for the petitioner submits that the impugned order is unsustainable and bad in law and is liable to be set aside.
3. On the other hand, learned counsel for the respondents would

support the order impugned.

4. I have heard learned counsel for the parties and perused the impugned order with utmost circumspection.

5. This Court by order dated 04.01.2018 while entertaining the petition granted interim relief in favour of the petitioner.

6. Considering the submissions made by learned counsel for the parties and further considering the fact that suit has been filed on 18.03.2015, the trial Court is directed to decide the suit expeditiously preferably within a period of five months from the date of receipt of copy of this order. Meanwhile, the interim relief granted by this Court shall remain in operation till the aforesaid period.

7. With the aforesaid observations, the writ petition stands disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge