

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (Art. 227) No.244 of 2015

Sachin Mahapatra, aged about 36 years, S/o late Shri Gopinath Mahapatra,
R/o Deendayal Upadhyay Nagar, Raipur, Tahsil and District Raipur (C.G.)
(Plaintiff)
---- Petitioner

Versus

Smt. Aparna Mahapatra, aged about 30 years, W/o Sachin Mahapatra, D/o
Padamlochan Das, R/o Village and Post Bademurma, in front of Mathew
Dist Church, Tahsil Jagdalpur, District Bastar (C.G.)
(Defendant)
---- Respondent

For Petitioner: Mr. V.R. Tiwari, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/10/2018

1. The order returning the plaint to be presented to the proper court under Order 7 Rule 11 of the CPC has been questioned in this writ petition which in the considered opinion of this Court is covered by Order 43 Rule 1-A of the CPC and which is appealable, as such, the order impugned is appealable.
2. In view of that, learned counsel for the petitioner seeks to withdraw this petition with liberty to file appeal in accordance with the above-stated provision.
3. The writ petition is dismissed as withdrawn with the aforesaid liberty in favour of the petitioner herein. Certified copy of the order impugned be returned to counsel for the petitioner on his furnishing a duly attested photocopy of the same. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge