

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 825 of 2018**

Ranjeet Verma, S/o Dr. R.J. Verma, aged about 34 years, R/o. Balaji Residential Parisar, Near Uslapur Overbridge, Tahsil & District Bilaspur (C.G.)

---Petitioner/plaintiff

Versus

Rajesh Goyal, S/o. Bikhramchand Goyal, Aged about 38 years, Vishnu Saw Mill, Near Uslapur Overbridge, Tahsil & District Bilaspur (C.G.) at present R/o. Sarju Bagicha, Masanganj, Bilaspur, Tahsil & District Bilaspur (C.G.)

---- Respondents.

For Petitioner : Mr. Manoj Paranjpe, Advocate
For Respondent No.2/State : Mr. Arun Sao, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

26/09/2018

(1) The petitioner/plaintiff's application under Section 65 of the Evidence Act, 1872 (henceforth "Act, 1972") has been rejected by the trial Court on the ground that the application was not duly constituted as the plaintiff did not make any effort to obtain the original copy of registered sale deed along with the copy of panchshala khasra.

(2) Learned counsel for the petitioner would submit that he may be allowed to file fresh application after making request to the Bank for return of the aforesaid documents.

(3) Be that as it may, the petitioner is at liberty to file fresh application in accordance with law supported by affidavit after making request to the Bank for return of the aforesaid documents, that shall be considered and decided by the trial Court in accordance with law without being influenced by earlier rejection of the application.

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

Sd/-
(Sanjay K. Agrawal)
Judge

