

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (Art. 227) No.855 of 2018

Laxman, S/o Gandhi Satnami, aged about 60 years, occupation agriculture, R/o Village Aamakoni, Tahsil Simga, District Balodabajar-Bhatapara (C.G.)

(Proposed plaintiff)
---- Petitioner

Versus

1. Kalindri Bai, W/o Bhupendra Kumar Agrawal, R/o Village Amrethi, Sanjay Ward Bhatapara, Tahsil District Balodabajar-Bhatapara (C.G.)
(Plaintiff)

2. State of Chhattisgarh, Through Collector, District Balodabazar-Bhatapara (C.G.)

---- Respondents

For Petitioner: Mr. Vineet Kumar Pandey, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

04/10/2018

1. Heard on admission.
2. This writ petition is directed against the order dated 5-7-2018 passed by the Civil Judge Class-II, Simga, in Civil Suit No.325/2014 by which the petitioner / plaintiff's application for examining the Tahsildar of Up-Tahsil Suhela has been rejected.
3. Learned counsel for the petitioner submits that the order impugned is unsustainable and bad in law.
4. Though the plaintiff has declared his evidence closed on 29-11-2017, but considering the ground raised and submission made, it would be expedient to grant one opportunity to the petitioner herein to examine the Tahsildar of Up-Tahsil Suhela subject to payment of cost of ₹ 3,000/- to the defendant on the next date of hearing i.e. on 11-10-

2018. It is ordered accordingly. The Collector, Baloda Bazaar-Bhatapara, is directed to keep the Tahsildar of Up-Tahsil Suhela present before the court on 11-10-2018. No further date would be granted to the plaintiff. If the witness is present, then he will be examined and cross-examined.

5. A copy of this order be sent to the Collector, Baloda Bazaar-Bhatapara and also to the court below.
6. The writ petition is disposed of with the aforesaid observation. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma