

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No.119 of 1996

Heera Lal and others **Versus** Praful Jaiswal and others

11/02/2019	Mr.Harshal Chouhan, counsel for the appellants. None present for the respondents though served. Judgment dictated, signed and dated. 1. While granting application filed under Order 41 Rule 27 of the CPC, this Court by order dated 5.12.2018 directed the First Appellate Court to give opportunity to the parties to adduce evidence, but the parties did not appear and lead any evidence to prove that the suit accommodation has been sold by the plaintiff after passing of the judgment and decree despite order of this Court dated 5.12.2018 and despite the fact that records have reached to the First Appellate Court right in time, the said Court did not take up the matter and did not record in the order-sheet that the parties have not appeared pursuant to order of this Court and despite taking up the matter. 2. It was the responsibility of the First Appellate Court to take up the matter and to comply with the order which it failed to comply with and did not take any pain despite the limited time was granted to the said Court looking to the fact that the appeal is pending since 14.2.1996, which is clear

non-compliance of the order of this Court.

3. Issue notice to Mr. Sheikh Ashraf (Presiding Officer), First Additional District Judge, Rajnandgaon through the Registrar General of this Court as to why proceeding for contempt be not initiated against him for non-compliance of order of this Court dated 5.12.2018. Separate MJC be registered and notice be issued from the Court side. Notice be made returnable within three weeks.

List the matter for consideration on **11th March, 2019.**

Sd/-
(Sanjay K. Agrawal)
Judge

B/-