

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Appeal No.52 of 2017

Vinod Khandelwal, S/o Late Guljarimal ji Khandelwal, aged 70 years,
President, Maa Vindhyavasini Bilaimata Mandir Trust Samiti,
Dhamtari, Tah. and Distt. Dhamtari (C.G.)

---- Appellant

Versus

1. The Registrar, Public Trust, Dhamtari, Tah. and Distt. Dhamtari (C.G.)
2. Tahsildar, Dhamtari, Tah. & Distt. Dhamtari (C.G.)

---- Respondents

For Appellant: Mr. Kishore Bhaduri, Advocate.
For Respondents/State: Mr. Sumit Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/03/2019

1. Heard on the question of admission of this miscellaneous appeal.
2. By the impugned order, the appellant's application under Order 39 Rules 1 and 2 of the CPC has been rejected finding no prima facie case, no balance of convenience and that no irreparable loss would be caused to the plaintiff if temporary injunction is not granted in his favour.
3. Taking into consideration the finding recorded by the trial Court on the issue of prima facie case and balance of convenience and particularly taking into account that the suit is pending since 15-3-2017 and there is no substantial progress in trial, I deem it appropriate to dispose of the appeal by directing the trial Court to conclude the hearing of suit and dispose it off within four months from the date of receipt of a copy of this order. It is ordered accordingly.
4. With the aforesaid observation, the appeal stands finally disposed of. No order as to cost(s).
5. A copy of this order be sent to the trial Court by E-mail / fax.

Sd/-
(Sanjay K. Agrawal)
Judge