

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (227) No. 166 of 2019**

Chatur Singh, son of Chetanlal Deshmukh, aged about 68 years, resident of house No. 301, Jawahar Nagar Durg, Tahsil & District Durg (C.G.)

---Petitioner/defendant No. 1

Versus

1. Bhagatram Deshmukh, son of Chetanlal Deshmukh, aged about 60 years, resident of village Jhola, Tahsil and District Durg (C.G.)
 2. Uttam Kumar Deshmukh, son of late Chetanlal Deshmukh, aged about 54 years, resident of village Jhola, Tahsil and District Durg (C.G.)
 3. Makhanlal, son of Balkrishna, aged about 68 years,
 4. Bhojram, son of Makhanlal, aged about 45 years,
 5. Dushyant, son of Makhanlal, aged about 42 years,
 6. Hirendra, son of Makhanlal, aged about 40 years,
 7. Lekha Bai, daughter of Makhanlal, aged about 37 years,
- Respondents No. 3 to 7 are resident of Villag Khanda, Tehsil and District Durg, Chhattisgarh
8. Surja Bai, wife of Dayaram Deshmukh, aged about 62 years, resident of village Beerjhar, Tehsil and District Durg, Chhattisgarh.
 9. Smt. Sujata Bai, wife of Lalji Deshmukh, aged about 50 years, resident of Mongri, Tehsil Gundedehi, District Balod, Chhattisgarh.
 10. Dharmendra Kumar, son of Chatur Singh, aged about 45 years,
 11. Bhuneshwar, son of Chatur Singh, aged about 42 years,
 12. Smt. Neera Deshmukh Bai, wife of Chatur singh, aged about 60 years

Respondents No. 10 to 12 are resident of House No. 301 Jawahar Nagar, Durg, Chhattisgarh

13. The State of Chhattisgarh, Through Collector, Durg, District Durg (C.G.)

---Respondents/plaintiffs

For Petitioner	: Mr. Jitendra Gupta, Advocate.
For Respondent No. 13	: Mr. R.K. Jaiswal, PL

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05.03.2019

- (1) Learned counsel appearing for the petitioner would submit that by the impugned

order dated 01.02.2019 passed by Second Additional District Judge of First Additional District Judge, District Durg has granted interim order in favour of plaintiff, which is contrary to the order passed by this Court dated 27.10.2018 passed in Writ Petition (227) No. 709 of 2018.

(2) I have heard learned counsel for the petitioner and considered his submission and went through the record with utmost circumspection.

(3) Be that as it may, since civil appeal is pending consideration since 14.11.2017, the first appellate Court is directed to conclude the hearing of the appeal and decide the same expeditiously preferably within a period of two months from the date of receipt of certified copy of this order.

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

(5) A copy of this order be sent to the first appellate Court by E-mail / FAX by tomorrow positively.

Sd/-

(Sanjay K. Agrawal)
Judge
