

HIGH COURT OF CHHATTISGARH, BILASPUR

SA No. 381 of 2004

1. Smt.Pushpalata W/o Late Shri Vijay Kumar Shukla, R/o Brahmanpara Raipur, Tahsil & Distt-Raipur, Chhattisgarh.

1. A) Ku. Bhumika.

1. B) Ku. Devika.

1. C) Ku. Gunja.

1. D) Piyush Kumar.

Applicat no. 1-A to 1-D through Natural Gardian Mother Smt. Pushplata wido Late Shri Vijay Kumar Shukla, R/o-Brahmanpara Raipur, Tahsil & Distt-Raipur, Chhattisgarh.

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Versus

1. Bhasker Rao, S/o Namdev Rao Raghatate, Aged about 24 years, R/o- Golbazar Telipara Raipur, Tahsil & Distt-Raipur, Chhattisgarh.

2. Giriraj Prasad Tiwari, S/o Gopal Prasad Tiwari, R/o- Amapara Raipur, Tahsil & Distt-Raipur, Chhattisgarh.

---- Respondents

For Appellants:	: Shri Y.C. Sharma, Advocate and Ajay Chandra, Advocate.
For Respondent No 1:	: Shri Tarkeshwar Nande, Advocate.
For Respondent No. 2	Ms. Swati Upadhyay appears on behalf of Shri Kishore Badhuri

Single Bench:Hon'ble Shri Sanjay Agrawal, J
Order On Board

07.03.2019

1. This is the defendants second appeal preferred under Section 100 of the Code of Civil Procedure, 1908 (hereinafter referred to as the C.P.C)questioning the legality and propriety of the judgment and decree dated 05.02.2004, by which, the lower appellate Court, while reversing the finding of the judgment and decree dated 05.03.2002 passed by 5th Civil Judge Class-1, Raipur, in Civil Suit No. 36/B/99, has decreed the plaintiffs' suit, entitling him to recover a sum of Rs. 25,785/- with 6% interest per

annum from the date of filing of suit till its realization.

2. At the outset, this appeal has been filed without stating the substantial question of law. However, in an appeal preferred under this section, the substantial questions of law was required to be stated preciously in the memorandum of appeal. Having failed so, despite time being granted, I am not inclined to entertain this appeal.
3. The appeal is accordingly, dismissed. No order as to costs.

Sd/-

(Sanjay Agrawal)
JUDGE

vivek