

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 351 of 2019

1. Laxman Yadav S/o Dukhi Ram, Aged About 50 Years, Occupation Labour
2. Kumari Bai W/o Laxman Yadav, Aged About 45 Years, Occupation Housewife
3. Ku. Vrinda D/o Laxman Yadav, Aged About 15 Years, Occupation Student,
4. Rameshwar S/o Laxman Yadav Aged About 12 Years Occupation Student, Occupation Student,

(Appellant No. 3 and 4 are minor, through legal natural guardian father Laxman Yadav) All caste Rawat, resident of village Chhudipalli, Tahsil and P.S. Baramkela, District Raigarh (C.G.)

---- Appellants/ Plaintiffs

Versus

1. Chhattisgarh State Electricity Distribution Company Through Junior Engineer, Chhattisgarh State Electricity Distribution Comapay Baramkela, Tahsil and Police Station Baramkela, District Raigarh Chhattisgarh
2. Executive Engineer Division (2) Chhattisgarh State Electricity Distribution Comapany Maryadit Raigarh Tahsil and District Raigarh Chhattisgarh.,
3. State of Chhattisgarh Through Collector, Raigarh District Raigarh Chhattisgarh.

---- Respondents

For the Appellants :- Mr. Hemant Kumar Patel, Advocate
For the Respondent :- Mr. Apuru Goyal, Advocate
For the State :- Mr. Aditya Bhardwaj, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Judgement on Board By
Manindra Mohan Shrivastava, J.

05.11.2019

1. Heard on prayer for grant of permission to file an appeal as forma pauperis.
2. Learned counsel for the appellant submits that the appellants are persons of meager means and they are not in a position to pay huge amount of Court fees towards claim of Rs. 16,37,000/-.
3. A report of the Collector, Raigarh, is also placed on record which supports the appellants' claim that they are not possessed of sufficient means to pay the Court fees.
4. Learned Counsel for the State after going through the report of the Collector, Raigarh would submit that the total income of the entire family is meager and therefore, they do not appear to possess sufficient means to pay huge amount of Court fees payable towards claim of Rs. 16,37,000/-
5. Learned counsel for the respondents/defendants also does not dispute the correctness of the report submitted by the Collector, Raigarh.
6. In view of the aforesaid consideration and the report dated 02.10.2019 of the Collector, Raigarh, we are inclined to grant permission to the appellants to file and prosecute the appeal as indigent persons. Application is accordingly allowed.

7. Let the appeal filed by the appellants be duly registered.

Sd/-

Manindra Mohan Shrivastava
Judge

Sd/-

Vimla Singh Kapoor
Judge

santosh