

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP227 No. 345 of 2019**

Smt. Ruby Banerjee W/o Late Shri Amitabh Banerjee, aged about 55 years, Resident of Manegaon, West Bank, Champa Nagar, District Jabalpur, Madhya Pradesh.

---- Petitioner**Versus**

1. Deopriya Ganguly, aged about 17 years, S/o Late Shri Ashish Kumar Ganguly, Minor, Guardian Mother Smt. Sapana Ganguly, W/o Late shri Ashish Kumar Ganguly, Aged about 54 years, R/o Hemunagar, Opp : Gudakhu Factory, Chamaru Gali, PS- Torwa, Tahsil & District Bilaspur, Chhattisgarh. Mb. No. 7000096235.
2. Parth Protim Ganguly S/o Late Shri S.K. Ganguly, aged about 42 years, R/o Near Over Bridge, Chuchaihapara, Hemu Nagar, Hindustan Catering Gali, Bilaspur, Tahsil & District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Malay Bhaduri, Advocate
For Respondent No. 1	:	Mr. Azad Siddiqui, Advocate
For Respondent No. 2	:	Mr. Ram Narayan Sahu, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****16/07/19**

1. By the impugned order dated 05/03/2019, the counter claim made in the application moved by the petitioner under Order 6 Rule 17 read with Section 151 of CPC for amendment has been rejected by learned

9th Civil Judge Class-II, Bilaspur, holding that no cause of action has been disclosed.

2. Learned counsel for the petitioner submits that he may be granted liberty to file a duly constituted counter claim, which may be directed to be considered by learned trial Court in accordance with law.
3. I have heard learned counsel for the petitioner at length.
4. Be that as it may, learned counsel for the petitioner is at liberty to file duly constituted counter claim before the trial Court within a period of seven days from today which will be considered by learned trial Court in accordance with law.
5. Accordingly, this writ petition stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge