

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP227 No. 360 of 2019**

1. Devsai Ram S/o Koha Ram Aged About 60 Years Caste - Uraon, Occupation - Cultivator, R/o Village - Komdo, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Lalsai Ram S/o Koha Ram Aged About 55 Years Caste - Uraon, Occupation - Cultivator, R/o Village - Komdo, Tahsil And District Bilaspur Chhattisgarh. (Plaintiff), District : Bilaspur, Chhattisgarh

---- Petitioners**Versus**

1. Bhaura Ram S/o Shri Marha Ram Aged About 70 Years Caste - Uraon, R/o Village - Komdo, Tahsil And District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh
2. State Of Chhattisgarh Through The Collector, Jashpur, District Jashpur Chhattisgarh. (Defendant), District : Jashpur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. J.K. Saxena, Advocate
For State/ Respondent No. 2	:	Ms. Shivali Dubey, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16.07.2019**

1. The petitioners'/plaintiffs' application for grant of temporary injunction was rejected by the trial Court and upheld by miscellaneous appellate Court, against which, the writ petition has been filed.
2. Mr. Saxena, learned counsel for the petitioners/plaintiffs, would submit that both the Courts below are absolutely unjustified in rejecting the application. Therefore, the impugned order is liable to be set-aside.
3. I have heard the learned counsel for the petitioners, considered his submissions made and went through the records with utmost circumspection.
4. The Courts below have concurrently recorded that the the petitioners have no *prima facie* case and no balance of convenience lies in their favour and if the temporary injunction as sought for by the petitioners, is

not granted, they will not suffer irreparable loss and injury. The finding recorded by two Courts below is neither perverse nor contrary to the record, as such, I do not find any merit in the submission. However, considering the fact and nature of the suit, it would be expedient to direct the trial Court to conclude the hearing of the suit within four months from the date of receipt of copy of this order.

5. Accordingly, the writ petition is disposed off with the above-stated direction.

**Sd/-
(Sanjay K. Agrawal)
Judge**