

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(C) No. 1710 of 2019

Sandeep Shukla, S/o. Komal Prasad, Aged About 36 Years, R/o. Rajkishore Nagar Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. Amit Singh, S/o. Kamaleshwar, Aged About 29 Years, R/o. Ashok Vihar Phase - 1 Chantidih Sarkanda, Tahsil And District Bilaspur Chhattisgarh.
2. Smt. Rani Shukla, W/o. Sandeep Shukla, Aged About 35 Years, R/o. Rajkishore Nagar Bilaspur, Tahsil And District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Amit Kumar with Ms Gunjan Tiwari, Advocates
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Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.05.2019

Heard

1. The present petition is filed for the reason that though the petitioner has filed a caveat before the Commissioner, Bilaspur but despite that without hearing the petitioner, stay order has been passed on 18.04.2019.
2. Learned counsel for the petitioner submits that the caveat was filed on 15.04.2019, therefore, before passing the order of stay on 18.04.2019, the Commissioner Bilaspur should have heard the petitioner.
3. Perused the documents. Perusal of the documents would show that on 15.04.2019 a caveat was filed on behalf of the petitioner and despite that without hearing the petitioner, *ex parte* stay has been granted to the respondents on 18.04.2019. At this stage, only the issue falls for consideration and can be redressed if it is ordered by directing the

Commissioner to rehear the revision on the point of stay. Therefore, it is directed that if the application for vacating stay is filed by the petitioner, the Commissioner, Bilaspur shall decide the same within a period of 15 days from the presentation of the application along-with the copy of this order.

4. With such observation, the petition stands disposed of.

Sd/-
Goutam Bhaduri
Judge

Ashok