

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 287 of 2019**

(Arising out of the order dated 08.04.2019 passed by the learned Single Bench)

1. Syed Faisal Ahmed Rizvi S/o Late Afzaal Ahmed Rizvi Aged About 51 Years
2. Faraz Ahmed Rizvi S/o Late Afzaal Ahmed Rizvi Aged About 38 Years

Both are R/o Banstal, Ge Road, Raipur, Tahsil And District Raipur Chhattisgarh. **---- Appellants**

Versus

1. Syed Iqbal Ahmed Rizvi S/o Late Syed Ahmed Rizvi, Aged About 75 Years
Profession - Advocacy, R/o Banstal, Ge Road, Raipur, Tahsil And District Raipur Chhattisgarh
2. State Of Chhattisgarh Through Collector, Raipur District Raipur Chhattisgarh

---- Respondents

For Appellants	:	Mr. Prafull N. Bharat, Advocate
For State/Respondent No.2	:	Ms. Richa Shukla, Dy. G.A.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice

Hon'ble Shri Sanjay K. Agrawal, Judge

Order on Board

Per P.R. Ramchandra Menon, C.J.

26.06.2019

1. The present appeal arises from the judgment dated 08.04.2019 passed by learned Single Judge, whereby a direction has been given to the District Collector to look into the aspect whether the earlier records contained the term 'mutwalli' which was stated as an omission to have had incorporated when the lease was renewed in the year 1992. When the matter came for consideration before the learned Single Judge, presumably based on the submission made by the learned counsel for the writ petitioner, the matter was disposed off directing the District Collector to finalize the matter as above; after affording an opportunity of hearing to both the sides. It was also specifically made clear that the Court was not expressing anything

with regard to the merits of the case.

2. The specific pleadings raised by the appellant in the appeal refer to the course and conduct of the writ petitioner, who himself is a lawyer, in suppressing the material facts.
3. Heard the learned counsel for the appellant as well as the learned counsel appearing for the State. If there is any suppression of facts or any dubious attempt is made by the petitioner, it may be a matter for serious consideration. This Court, however, does not express any opinion in this regard, as the learned counsel for the appellant fairly submits that the appellant would like to bring these aspects to the notice of the learned Judge who passed the verdict by way of appropriate proceedings. In the said circumstance, permission is sought for to withdraw the appeal, to file the necessary proceedings before the learned Single Judge.
4. In view of the above submission, we find it appropriate to grant one month's time from today to the appellant to approach the learned Single Judge by filing appropriate proceedings in accordance with law.
5. The writ appeal stands disposed off, after condoning the delay of four days in filing the appeal.

Sd/-
(P.R. Ramachandra Menon)
Chief Justice

Sd/-
(Sanjay K. Agrawal)
Judge