

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WP227 No. 502 of 2019**

- Mohd. Istaz Quareshi S/o Mohd. Kayyum Quareshi Aged About 50 Years R/o Opp. Janpad Panchayat Dharsiwa, Tahsil And District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. Motilal Chandravanshi S/o Bisahu Ram Chandravanshi Aged About 40 Years,
2. Amarnath Chandravanshi S/o Bisahu Ram Chandravanshi Aged About 50 Years,
3. Sewaram Chandravanshi S/o Bisahu Ram Chandravanshi Aged About 60 Years,
4. Smt. Jamuna Devi W/o Late Dolsai Chandravanshi Aged About 60 Years,

All are resident of Parastarai, Tahsil and District Raipur (C.G.)

5. State Of Chhattisgarh Through Collector, Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:-	Shri C.R. Sahu, Advocate.
For Respondent-State	:-	Shri Aakash Pandey, PL

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board**

26/06/2019

1. Heard.
2. Both the Courts have dismissed the petitioner's/plaintiff's application for grant of temporary injunction. This petition would challenge the said concurrent orders passed by the Courts below.
3. Having heard learned counsel for the petitioner it appears that the Courts below have found that the plaintiff does not have a good *prima-facie* case or balance of convenience in his favour and he is not going to suffer irreparable loss if temporary injunction is not allowed. While the plaintiff claims title on the basis of a settlement deed, the defendant is claiming title on the basis of sale deed dated 23.05.1960 and 04.06.1962. Thus, much prior to the date of execution of deed of settlement on 06.09.1987, the suit land was already sold to the defendants or their predecessors on 23.05.1960 and 04.06.1962.
4. Without commenting on merits of the matter, which shall be dealt with by the trial Court at the end of trial, at the present stage there no interference is called for while exercising powers under Article 227 of Constitution of India, therefore, the present writ petition fails and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Ayushi