

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 760 of 2019

- Gulab Singh Rajput S/o Late Kumar Singh Rajput Aged About 28 Years
Aged About 28 Years, R/o. Railway Colony Ward No. 4, Dongergarh,
District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

Narayan Lal Sharma Son Of Late Rewadmal Sharma (Since Dead),
Through- Legal Representatives : –

1. Mahesh Sharma Son Of Late Narayan Lal Sharma, Aged About 45
Years
2. Dinesh Sharma S/o Late Narayan Lal Sharma Aged About 40 Years
3. Rajesh @ Rajji Sharma S/o Late Narayan Lal Sharma Aged About 32
Years
4. Meera Bai W/o Late Narayan Lal Sharma Aged About 50 Years

(All are R/o. Ambedkar Ward No. 7, Dongergarh, District Rajnandgaon
Chhattisgarh)

---- Respondents

For Petitioner : Mr. A.D. Kuldeep, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-10-2019

Heard.

1. This petition has been brought seeking direction for the trial Court to
frame decree in accordance with the compromise order dated
02.09.2016.
2. Learned counsel for the petitioner submitted that the Civil Suit No.03-
B/2011 pending before the Court of First Additional District Judge,
Rajnandgaon sitting at Dongergarh was compromised between the

parties and on that basis, the order dated 02.09.2016 was passed and the suit was dismissed but till date no decree has been drawn on the basis of the compromise order so passed. Therefore, prayed that appropriate direction be issued.

3. On perusal of the impugned order, it is found that in the last line of paragraph No.08 of the order, there is a direction given by the trial Court itself to prepare decree according to the order passed. It appears to be a lapse on the clerical side as well as oversight of the Court itself. There being a clear direction in the order that the petitioner could have directly approached the Court itself and make a request for preparation of the decree. However, without doing the same, he has approached this Court. Therefore, the petition is disposed off with following directions to the petitioner: –

- (a) the petitioner shall approach the trial Court itself and make a prayer for preparation of decree in accordance with the order dated 02.09.2016 passed in Civil Suit No.03-B/2011.

4. Accordingly, the petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika