

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 807 of 2019

- Smt. Manjubala Yadav W/o Shekhar Yadav Aged About 38 Years Caste Rawat, R/o Ward No. 02, Tahsil And Police Station Gharghoda, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. Kartik Ram Ratre S/o Kirtan Ratre Caste Satnami, R/o Satnapi Para, Gharghoda, Present Address Ward No. 02, In Front Of Maa Baigin Dokri, Gharghoda, P.S. And Tahsil Gharghoda, District Raigarh Chhattisgarh
2. State Of Chhattisgarh Through The Collector, Raigarh District Raigarh Chhattisgarh

---- Respondent

For Petitioner	:	Mr. Sanjeev Verma, Advocate.
For State/respondent	:	Mr. Sanjay Pathak, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-11-2019

Heard.

1. This petition is not brought against any particular order passed by the trial Court, the only grievance of the petitioner is this that in the Civil Suit No.43A/2016 filed by her which is pending.
2. Learned counsel for the petitioner submitted that an application was filed by her on 29.02.2018 under Order 39 Rule 1 & 2 read with Section 151 of C.P.C. which has been kept pending by the trial Court for more than one year without passing any order on the same. Therefore, specific direction be issued in this respect for compliance by the trial Court.
3. The respondent No.2 is represented by the learned counsel for the

State, who has no objection in issuance of any direction.

4. Considering that the application filed by the petitioner is pending since 29.02.2018. So far, the trial Court has not made any attempt to inquire into the matter and pass order. Therefore, it can be said that the application has been kept pending without any reason. Any interim application filed is required to be disposed off as early as possible so that any trial pending can be expedited and disposed off as early as possible. Hence, for this reason, the petition is disposed off at the motion stage and the trial Court is directed to proceed to decide the application filed by the petitioner under Section 32(A) of C.P.C. as early as possible preferably within a period of two months.
5. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Monika