

HIGH COURT OF CHHATTISGARH, BILASPUR**Second Appeal No. 382 of 2009**

Chowa Lal Chandrakar, S/o Late Ramdhan Chandrakar, Aged about -63 years,
By Profession – Cultivator, R/o Village :- Kowajhar, P.S. & Tahsil – Mahasamund,
District :- Mahasamund (C.G.)

----Appellant/Plaintiff

Versus

1. State of Chhattisgarh, Through The Collector, District : - Mahasamund (C.G.)
2. Recovery-Officer, Co-operative Society, {Sahkari-Samittiya}, District:- Mahasamund (C.G.)
3. Johan Lal Chandrakar, Age -70 Years, S/o Late Neelkanth Chandrakar, R/o Village :- Kowajhar, P.S. & Tahsil – Mahasamund, District :- Mahasamund (C.G.)

----Respondents/Defendants

For Appellant/Plaintiff	: Mr. Jameel Akhar Lohani, Advocate.
For Respondent No. 1	: Mr. Mateen Siddiqui, Dy. Advocate General.
For Respondent No. 3	: Mr. Rajat Agrawal, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15/07/2020

(1) Learned counsel appearing for the appellant submits that the sole appellant has died and he has not received any instructions from the legal representatives of the sole appellant.

(2) Accordingly, the second appeal is dismissed as counsel for the appellant has no instructions on behalf of legal heirs of appellant.

Sd/-

(Sanjay K. Agrawal)
Judge

(1) Whether the first appellate Court was justified in granting decree in favour of the plaintiff ignoring the fact that erstwhile owner of the suit land Raja..... and his son..... has already executed a title deed / sale deed dated 28.08.2002 (Ex.D-1) in favour of defendants No. 2 & 3, by recording a finding, which is perverse and contrary to the record ?

(2) Whether the first appellate Court was justified in not remitting the matter after holding that the permission for review was granted without affording opportunity of hearing to the plaintiff by virtue of provisions contained in Section 51 of the C.G. Land Revenue Code,