

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 151 of 2020

- Satish Kumar Saluja, S/o Late Narayan Singh Saluja Aged About 62 Years R/o Mannu Chowk, Tikrapara, Bilaspur , Tahsil and District Bilaspur Chhattisgarh...(Plaintiff).

---- Petitioner

Versus

1. Nagar Palika Nigam, Bilaspur Through The Commissioner, Nagar Palika Nigam , Bilaspur District Bilaspur Chhattisgarh....(Defendent No. 4).
2. Gulshan Kumar Saluja, S/o Late Shri Narayan Singh Saluja Aged About 68 Years R/o Mannu Chowk , Tikrapara, Bilaspur , Tahsil And District Bilaspur Chhattisgarh..(Defendent No. 01).
3. Jagdish Kumar Saluja, S/o Late Shri Narayan Singh Saluja Aged About 58 Years R/o Mannu Chowk , Tikrapara, Bilaspur, Tahsil And District Bilaspur Chhattisgarh..(Defendant No. 02).
4. Guljari Kumar Saluja, S/o Late Shri Narayan Singh Saluja Aged About 44 Years R/o Mannu Chowk , Tikrapara , Bilaspur , Tahsil And District Bilaspur Chhattisgarh..(Defendant No. 03).

---- Respondent

For petitioner	:	Mr. A.V. Shridhar, Advocate.
For respondent No.1	:	Mr. Pankaj Agrawal with Ms. Richa Dwivedi, Advocates.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/02/2020

Heard.

1. This petition has been brought being aggrieved by the order dated 20.1.2020 (Annexure P-1) passed by the learned 8th Civil Judge, Class-II, Bilaspur in Civil Suit No.15A/2017 staying further proceeding of the Court.

2. It is submitted that this Court while entertaining MCC No.1138/2019 in order dated 17.2.2019, had expressed that subsequent proceeding in the trial Court shall be subject to final outcome in this case. The words in this order do not make out any stay of the proceedings before the trial Court. However, the learned trial Court has interpreted the order as a stay order and stopped further proceedings in the civil suit, therefore, it is prayed that appropriate direction be issued.
3. Learned State counsel makes a formal objection in this petition.
4. Considered on the submissions made by the counsel for petitioner.
5. On perusal of the order of this Court passed in MCC No.1138/2019, I am of this view that this Court has not passed any order to stay the proceedings of the civil suit pending before the trial Court, therefore, the learned trial Court is at liberty to proceed with trial by giving appropriate hearing to the parties.
6. Accordingly, the petition is disposed off with the above direction to the trial Court.

Sd/-

(Rajendra Chandra Singh Samant)
Judge