

HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 515 of 2017

- Dinesh Behra (Bahra), Bhuru Ram, aged about 40 years , R/o Village Bhadrapara, Tahsil Lelunga, District Raigarh, (MP) Now CG.

At Present R/o Ward No. 8 , Nagar Panchayat Lailunga , Tahsil Lailunga, District Raigarh, Chhattisgarh. (*Respondent No. 5*)

---- Appellant

Versus

- Chief Executive Officer Jila Panchayat Raigarh, MP Now Chhattisgarh. (*Respondent No. 1*)
- Chief Executive Officer, Janpad Panchayat , Lelunga , District Raigarh, MP Now Chhattisgarh (*Respondent No. 2*).
- Jagatram Satnami R/o Village Bhadrapara Tahsil, Lelunga, District Raigarh, MP Now Chhattisgarh. (*Respondent No. 3*).
- Shri Sunderlal Bada , R/o Village Bhadrapara Tahsil , Lelunga , District Raigarh, MP Now Chhattisgarh (*Respondent No. 4*).
- Gram Panchayat Lelunga, District Raigarh, Through Its Sarpanch, Chhattisgarh (*Respondent No. 6*)
- Gopal Singh S/o Chaitram Aged About 29 Years R/o High School Para Bhadrapara Lelunga District Raigarh, MP Now Chhattisgarh. (*Petitioner*)

----Respondent/s

For the Appellant :- Mr. Rajkumar Pali, Advocate.

For the Respondent/s :- Mr. Vidya Bhushan Soni, Mr. Rajnish Singh and Mr. AK Prasad, Advocates for their respective respondents.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board by Justice Manindra Mohan Shrivastava J.

27.01.2020

Heard on prayer for condonation of delay in filing of appeal.

Upon due consideration the short delay in filing the appeal and the cause shown, we are inclined to condone the delay in filing appeal .

This appeal has been filed by the petitioner who was the fifth respondent in the writ petitioner.

We find that in the writ petition no return was filed by this appellant (5th respondent). He was not even present during hearing. The grounds which are being raised before this Court are those based on certain factual assertions which were never highlighted before the learned Single Judge by the present appellant. Therefore, this is not a fit case for exercising appellate jurisdiction.

At this stage, learned counsel for the appellant submits that he may be permitted to withdraw this appeal with liberty to move review petition.

Having considered the said submission, we are inclined to allow the appellant to withdraw this appeal with liberty to file review petition.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge