NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP (227) No. 463 of 2020

1. Urmila, W/o Late Kamalai, Aged About 55 Years.
2. Mohan, S/o Late Kamlasai, Aged About 35 Years.
3. Ku. Sonu, D/o Late Kamlasai, Aged About 22 Years.
4. Simran, D/o Late Kamlasai, Aged About 19 Years.

All are Caste- Uraon, R/o Village- Khamhar, Tashsil- Lailunga, District- Raigarh (C.G.) **--- Petitioners**

Versus

1. Dinesh Kumar, S/o Late Ramvati, Aged About 60 Years.
2. Mukutram, S/o Late Hiraram,
3. Tejram, S/o Late Daulat.
4. Dilaram, S/o Late Daulat.
5. Jabran, S/o Sadhuram.
6. Kamla, D/o Santram.
7. Sukutram, S/o Late Hiraram Sai.
8. Meena, D/o Santram.
9. Kashiram, S/o Pantram.
10. Shashilal, S/o Pantram.
11. Anandram, S/o Late Hiraram.
12. Sukhiram, S/o Madho.
13. Chakradhar, S/o Damru.
14. Pilu, S/o Udho.

All are Caste- Uraon, R/o Village- Khamhar, Tahsil - Lailunga, District -Raigarh (C.G.) **--- Respondents**

For Petitioners : Mr. Amit Sharma, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

18/11/2020

1. This petition has been brought praying for invoking power under Article 227 of the Constitution of India for seeking indulgence of

this Court for issuing specific direction to the concerned trial court.

2. It is submitted that the petitioners, who are the plaintiffs in Civil Suit No. 13A/2020 before the Court of Additional Judge of the First Civil Judge Class- II, Gharghoda, District- Raigarh (C.G.). As the service upon the defendants/ respondents was not complete, therefore, the petitioners made a prayer for relief of status quo with respect to the subject matter of this civil suit, but the trial court dismissed the same by the impugned order.

3. It is further submitted that a specific direction be issued to the court below to expedite the matter and decide the pending application under Order 39 Rule 1 & 2 of the C.P.C. within a time frame.

4. Considered on the submissions made by learned counsel for the petitioners. This petition is disposed of at this stage. Learned trial court is directed to take up for hearing the pending application of the petitioner under Order 39 Rule 1 & 2 of the C.P.C. on urgent basis and decide the same preferably within a period of one month from the date of this order is communicated.

5. In view of the above, the instant writ petition is disposed of at motion stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Arun