

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 477 of 2020

- Smt. Saraswati Yadav, W/o Deonarayan Yadav, Aged About 42 Years, R/o Village Khedamara Dhaur Chowk, Durg, District-Durg Chhattisgarh.

---- Petitioner

Versus

1. Ganesh Kumar Sahu, S/o Girdhari Lal Sahu, Aged About 47 Years R/o C.S.E.B. Chowk Nandani Road, Jammul, Tahsil And District Durg Chhattisgarh.
2. State of Chhattisgarh, Through Collector, Durg Chhattisgarh, District : Durg, Chhattisgarh
3. Public at Large Nil

---- Respondents

For petitioner	:	Mr. Praveen K. Dhurandher, Advocate.
For State/Respondent	:	Mr. D.P. Singh, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

27/11/2020

1. This petition under Article 227 of the Constitution of India has been brought by the petitioner seeking indulgence of this Court for issuance of direction to the Court below for disposal of interim application filed by the petitioners.
2. In Civil Suit No.101/2018 an ex-parte judgment and decree has been passed against the petitioner on 8.8.2019. The petitioner has moved an application under Order 9 Rule 13 CPC praying to set aside ex-parte judgment and decree passed against her. Along with this application, she has also filed an application for staying the effect and operation of ex-parte judgment and decree dated 8.8.2019.
3. It is submitted by the counsel for petitioner that since the date of filing of application for grant of interim relief i.e. on 13.12.2019, the same

has been kept pending by the Court concerned, therefore, the Court concerned may be directed to dispose of the application for interim relief on urgent basis.

4. Learned State counsel makes a formal objection.
5. Considered on the submission and perused the documents filed along with the petition. On perusal of the order-sheets, it is found that since 13.12.2019 not a single order has been passed. After the application was filed, the dates for appearance and arguments have casually been given by the concerned Court, therefore, it appears that issuance of direction is required in this matter.
6. Accordingly, the petition is disposed of at motion stage with a direction to the learned Court below to expedite hearing on the application. As it is prayed that the disposal of application for stay has to be made on urgent basis, it is ordered that the Court shall consider and decide the same preferably within a period of one month from the date of communication of this order.

Sd/-

(Rajendra Chandra Singh Samant)
Judge