

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No.58 of 2021

1. Rajesh Kumar Gupta S/o Late Rameshwar Prasad Gupta Aged About 52 Years R/o Thana Road, Mayapur Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. Santosh Kumar Singh S/o Late Vishnu Dev Singh Aged About 56 Years R/o D.C. Road, Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Petitioners

Versus

1. Ashok Singh S/o Brijbahadur Singh Aged About 49 Years R/o Keshavpur, Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. State Of Chhattisgarh Through Collector Surguja, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondents

For Petitioner	– Mr. Anurag Singh, Advocate.
For respondent No.1	– Mr. A.K. Prasad, Advocate.
For State/respondent No.2	– Mr. B.P. Banjare, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-04-2021

Heard.

1. This petition under Article 227 of Constitution of India has been brought being aggrieved by the order dated 11.12.2020, passed by the First Civil Judge, Class-II, Ambikapur, C.G. in Civil Suit No.180-A/2019 rejecting the prayer of the petitioner to place the matter before Lok Adalat for compromise. Similarly, by this petition, the order dated 12.12.2020 is also challenged, which has been passed by the Lok Adalat dismissing

the prayer for compromise between to resolve the disputes.

2. It is submitted by the learned counsel for the petitioner that parties have bona-fidely made prayer before the learned trial Court and also before the Lok Adalat about their intention to compromise which has been turned down by the impugned orders. Hence, the petitioners may be granted relief.
3. Learned State counsel appearing for respondent No.3 submits that the order dated 11.12.2020 mentions about collusion of the parties, which had been the reason for rejection of the prayer of the parties and the same reasoning has been followed by the Lok Adalat in order dated 12.12.2020.
4. Considered on the submissions, the petition is disposed off at the motion stage. The parties shall have liberty to file repeat application for compromise, if they still desire to do so and then, the learned trial Court shall decide the same in accordance with law. The earlier orders passed by the learned trial Court and by the Lok Adalat shall not come in the way on the consideration of the compromise application, which may be filed by the parties in future.
5. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika